



GCEDC Board Meeting
Thursday, July 7, 2022
Location: 99 MedTech Drive, Innovation Room
4:00 PM

GCEDC MINUTES

Attendance

Board Members: M. Clattenburg, C. Yunker, T. Bender, P. Battaglia, C. Kemp
Staff: L. Farrell, M. Masse, S. Hyde, L. Casey, J. Krencik, P. Kennett, C. Suozzi
Guests: G. Torrey (GGLDC Board Member), R. Gaenzle (Harris Beach), D. Cunningham (GGLDC Board Member), J. Tretter (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), E. Biscaro (Ivy Village Corp), M. Hensel (Ivy Village Corp), B. Quinn (The Daily News), M. Fitzgerald (Phillips Lytle – video conference)
Absent: P. Zelif, M. Gray

1.0 Call to Order

P. Battaglia called the meeting to order at 4:00 p.m. in the Innovation Zone.

Presentation: Ivy Village Corp – E. Biscaro provided an overview of his proposed project in the Village of LeRoy. Ivy Village Corp is planning to construct a market-rate adult patio home development on 16 acres. The proposed \$3.72 million project is for the construction of the initial 10 duplex residences (20 units total) of a planned three-phase development (60 units total). The first phase buildings will total 35,312 sq. ft.

B. Quinn, E. Biscaro and M. Hensel left the meeting at 4:21 p.m.

1.1 Enter Executive Session

C. Yunker made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 4:21 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 M. Clattenburg and approved by all members present.

M. Fitzgerald (video conference) left the meeting at 4:35 p.m.

1.2 Enter Public Session

T. Bender made a motion to enter back into public session at 4:55 p.m., seconded by M. Clattenburg and approved by all members present.

2.0 Chairman’s Report & Activities

2.1 Upcoming Meetings:

Next Scheduled Board Meeting: Thursday, August 4th at 3:00 p.m. (*Change in time due to GLOW Corporate Cup*)

Audit & Finance Committee Meeting: Tuesday, August 2nd at 8:30 a.m.

STAMP Committee Meeting: Wednesday, August 3rd at 8:00 a.m.

2.2 Agenda Additions / Deletions / Other Business –

C. Yunker made a motion to remove agenda item 6.4 “SEQR Update Approval” from the agenda due to a letter received from the Tonawanda Seneca Nation requesting more time to submit comments regarding the SEQR resolution; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes
M. Clattenburg - Yes
C. Kemp - Yes

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

The agenda item was removed.

2.3 Minutes: June 2, 2022.

T. Bender made a motion to accept the minutes from June 2, 2022; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes
M. Clattenburg - Yes
C. Kemp - Yes

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

The item was approved as presented.

3.0 Report of Management

3.1 Ivy Village Corp. – Initial Resolution – Ivy Village Corp is planning to construct a market-rate adult patio home development on 16 acres in the Village of Le Roy.

The proposed \$3.72 million project is for the construction of the initial 10 duplex residences (20 units total) of a planned three-phase development (60 units total). The first phase buildings will total 35,312 sq. ft.

Ivy Village Corp’s proposed project meets the recommendations of recent studies by LaBella Associates and The Rockefeller Institute of Government, which identified housing availability as a critical element to fully realize the benefits of Genesee County’s economic development strategy. LaBella Associates reported that 4,800 new units are needed in the next 20 years across multiple sectors, including rental units and single-family homes.

Ivy Village Corp is requesting assistance from the GCEDC in the form of a property tax abatement (\$603,169) using our Market Rate Housing PILOT (20 + Units) schedule which averages 61.5% savings over 20 years, a sales tax abatement (\$172,800), and a mortgage tax exemption (\$29,760).

Resolution No. 07/2022 - 01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF IVY VILLAGE CORP. 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.

T. Bender made a motion to accept Initial Resolution #07/2022-01, accepting the application and authorizing the scheduling of a public hearing as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Absent
M. Clattenburg -	Yes	M. Gray -	Absent
C. Kemp -	Yes		

The item was approved as presented.

4.0 Audit & Finance Committee

4.1 May 2022 Financial Statements - L. Farrell reviewed the May 2022 financial statements with the Board. The following was noted:

- Accounts receivable decreased by about \$280,000. We received final payment from HP Hood (\$279,600) from a 2017 termed out project origination fee.
- On the P&L, we received the project origination fee from J&R Fancher.
- There is normal monthly activity for May.

The financial statements were reviewed in detail by the Committee and are recommended for approval.

C. Yunker made a motion to approve the May 2022 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. Zeliff -	Absent
M. Clattenburg -	Yes	M. Gray -	Absent
C. Kemp -	Yes		

The item was approved as presented.

4.2 Indemnity Agreement & Logging Contract for Leroy Food & Tech Park – The GCEDC was approached by a logging company requesting permission to cross land that the GCEDC owns to access a parcel owned by a third party to do some logging. The logging company has already entered into an agreement to cover any damage to crops caused by their access road. The GCEDC then asked the

logging company to provide an estimate of what they would pay the GCEDC to log some of the property that it owns. The purpose of this would be to help expand potential developable property at the site to allow for more development. The GCEDC has confirmed with its environmental firm, CC Environment and Planning, that the area is not wetland and can be developed. The GCEDC would leave some wooded areas along the property line to allow for screening from any potential projects that would locate at the site.

Fund Commitment: None.

The Committee did not make a recommendation. The Committee requested additional information related to the logging contract. They wanted to know if the tops will be removed and how many acres will be logged. M. Masse stated that the logging company would leave the tops and branches. If the Agency required that the tops and branches are removed, there would be a cost for this and the net effect to the GCEDC would likely be zero. The Board determined that it is not important to have this area harvested at this time. If this position should change, additional logging companies should be approached.

Additionally, for clarification, it was stated that the logging company is *only* accessing property owned by the GCEDC, so we are accepting lower insurance requirements than the standard \$1M/\$3M.

T. Bender made a motion to approve the Indemnity Agreement to allow the logging company to access the neighboring property for harvesting; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Absent
C. Kemp -	Yes		

The item was approved as presented.

4.3 Key Bank Line of Credit Renewal – The GCEDC has a \$1M demand line of credit. This was discussed in previous years and it eliminated the non-usage fee and ultimately afforded the GCEDC the comfort of having a line in place if needed, however there is no guarantee that the money is available during the negotiated term. Moving forward there are only internal bank credit reviews/renewals, but no need to sign or update documentation annually unless the terms were to change. Any future modifications to the line are always less expensive and normally faster if the line is existing.

Fund commitment: None.

This item was recommended for approval by the Committee.

T. Bender made a motion to approve the Key Bank demand line of credit renewal at the same terms; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Absent
C. Kemp -	Yes		

The item was approved as presented.

4.4 Semicon West – With the support of National Grid, the GCEDC is joining our partners in the New York Loves Nano delegation at the 2022 Semicon West semiconductor industry conference in San Francisco July 12-14. The GCEDC participates in this conference annually and we have found it an effective sales and marketing activity in a key industry sector for STAMP.

The proposed funding process for the delegation’s booth and reception has changed this year, with organizations like the GCEDC directly sponsoring the booth and reception. Previously, organizations funded a share of the gap between costs and received sponsorships.

For the 2022 Semicon West, we are proposing to sponsor the delegation as a Silver Sponsor (\$5,000), and with the combined support of Invest Buffalo Niagara and Greater Rochester Enterprise we will receive the benefits of a Gold Sponsor, including exhibitor hall badges and graphic displays on the booth’s exterior and interior.

This project was anticipated in two budget lines in the 2022 Marketing Operations Budget totaling \$7,700. The proposed cost is contained within the Booth line item.

- Booth: \$5,200
- Reception: \$2,500

The GCEDC thanks National Grid for their support of this project.

This item was recommended for approval by the Committee.

M. Clattenburg made a motion to recommend to the full Board the approval of the Semicon West Sponsorship not to exceed \$5,000 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
M. Clattenburg -	Yes	M. Gray -	Absent
C. Kemp -	Yes		

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 (M. Masse presented)

6.1 Easement Approval- In conjunction with the installation of the force main from the STAMP site to the direct discharge point at Oak Orchard Creek, there are several easements needed. Based on a compensation model the following payment is needed for one easement:

1. Temporary Easement 28 - \$500

Fund Commitment: \$500 from the \$33 million.

This item was recommended for approval by the Committee.

C. Yunker made a motion to approve the ROW easement payment not to exceed \$500 as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Absent
M. Clattenburg -	Yes	M. Gray -	Absent
C. Kemp -	Yes		

The item was approved as presented.

6.2 STAMP Payment for Storage Yard – In conjunction with the installation of the force main from the STAMP site to the direct discharge point at Oak Orchard Creek, the GCEDC had to extend the rental agreement for the storage of pipes until we can begin construction with the issuance of NYSDEC permits.

Fund Commitment: \$2,000 from the \$33 million.

This item was recommended for approval by the Committee.

T. Bender made a motion to approve the STAMP payment of \$2,000 to the landowner for the storage yard as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Absent
M. Clattenburg -	Yes	M. Gray -	Absent
C. Kemp -	Yes		

The item was approved as presented.

6.3 Morsch Pipeline, Inc. Change Order – In conjunction with the installation of the force main from the Town of Pembroke to the Town of Alabama there is a residence located at the corner of Route 77 and Ledge Road that has seen an accumulation of water in their yard after the construction was completed. It appears that the water is now running along the water line and discharging into the resident’s yard. There is a lot of rock in the area that is preventing the water from flowing into the catch basin at the intersection. This work will install an underground tile line that will allow the water a place to flow and discharge into the catch basin where it can move underneath the intersection through the culvert.

Fund Commitment: \$4,975.50 from the agency operating funds.

This item was recommended for approval by the Committee.

C. Yunker made a motion to approve the Morsch Pipeline, Inc. change order not to exceed \$4,975.50 as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Absent
C. Kemp -	Yes		

The item was approved as presented.

6.4 SEQR Update Approval – Removed from the agenda.

6.5 Proposed STAMP Property Transfer – There is a 0.851-acre portion of STAMP property that includes two abandoned barns along Alleghany Road bordered to the north by a residential use, to the east across Alleghany Road by a lightly forested area containing an abandoned building, and to the west and south by STAMP; Mr. Baker intends to incorporate the property into his existing residence/property, and therefore the Land Transfer will not create a material conflict with an adopted land use plan or zoning. While much of the STAMP Site was rezoned from Agricultural-Residential (“AR”) to Technology District (“TD”), a 300-foot buffer around the TD zone was reserved as zone AR. This zone AR buffer includes the property where the barns are located.

M. Masse proposed the transfer of property at no cost to Mr. Baker as a liability deferral. In this case the Agency would not be responsible for the cost of demolition of the dilapidated barns.

Fund Commitment: None.

This item was recommended for approval by the Committee.

M. Clattenburg made a motion to approve the negative declaration pursuant to SEQRA and the property transfer to Mr. Baker for no consideration as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Absent
C. Kemp -	Yes		

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 Nothing at this time.

9.0 Other Business

9.1 Nothing at this time.

10.0 Adjournment

As there was no further business, T. Bender made a motion to adjourn at 5:16 p.m., which was seconded by C. Yunker and passed unanimously.