



Thursday, March 2, 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. Zelif, P. Battaglia

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

Guests: T. Felton (GGLDC Board Member), H. Upson (GGLDC Board Member), G. Torrey (GGLDC Board Member), J. Krencik (The Daily News), Chris Henrici (GVT), Greg Cheshier (GVT), S. Noble-Moag (GGLDC Board Member), R. Gaenzle (Harris Beach); Fred Hiffa (Park Strategies), Rick Winter (Park Strategies/Richardson Management), Megan Osika (Park Strategies), J. Molino (City of Batavia)

Absent:

### 1.0 Call to Order

#### **1.1 Enter Executive Session**

J. Rizzo made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 3:50pm 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 M. Wiater and approved by all members present.

#### **1.2 Enter Public Session**

C. Yunker made a motion to enter back into public session at 4:00pm, seconded by J. Rizzo and approved by all members present.

### **Presentations:**

**Genesee Valley Transportation** - Greg Cheshier shared that the company plans to add a 12,000-sq. ft. addition to their existing building on Mill Street. This addition will be used for additional warehouse storage for several of their customers. Although no new jobs are being created as a part of this project, there will be an indirect economic benefit as the company's customers are expanding and requiring more warehousing space.

Greg & Chris left at 4:06pm

**Park Strategies** - Fred Hiffa of Park Strategies shared that the proposed contract terms are the same as the previous contract; 12 months with a 30 day out by either party. The rate also continues to be the same. He introduced Rick Winter of Richardson Management that works with Park Strategies. He has the local connections.

Rick Winter shared that he owns Richardson Management. He has many local connections in Genesee County after working for many years as part of Senator Maziarz staff. He has calls with S. Hyde and R. Tabelski on a weekly basis to discuss strategies related to the GCEDC and STAMP.

Megan Osika shared that she looks at bills that are being introduced into legislation that may affect the GCEDC. Specifically, those related to IDAs, prevailing wage, funding, etc.

Fred Hiffa, Megan Osika, Rick Winter and J. Krencik left the meeting at 4:19pm.

### **Re-Enter Executive Session**

J. Rizzo made a motion to re-enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 4:19pm 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 M. Wiater and approved by all members present.

Jason Molino left the meeting at 4:45pm.

**Re-Enter Public Session**

M. Gray made a motion to re-enter back into public session at 5:28pm, seconded by J. Rizzo and approved by all members present.

**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, March 30<sup>th</sup> at 4:00pm**

GCEDC Annual Meeting: Friday, March 23<sup>rd</sup> at 12:00pm

STAMP Committee Meeting: Thursday, March 23<sup>rd</sup> at 8:00am

Audit & Finance Committee Meeting: Thursday, March 30<sup>th</sup> at 3:00pm

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

**2.3 Minutes: January 19, 2017 & February 2, 2017 –**

**P. Zeliff made a motion to approve the January 19, 2017 & February 2, 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. Zeliff -	Yes
M. Davis -	Yes	M. Gray -	Yes
J. Rizzo -	Yes		

**The item was approved as presented.**

**3.0 Report of Management**

**3.1 Genesee Valley Transportation – Initial Resolution No. 03/2017-01 –** C. Suozzi shared that the company built a 25,000-sq. ft. cross dock facility in 2010 and the GCEDC supported the project. Genesee and Mohawk Valley Railroad (GMVR) is a third-party logistics provider. They assist local growing companies with increasing warehouse space needs. Local companies can outsource warehouse space and services and have a positive impact on their business by moving from fixed cost to variable cost. This provides a win-win solution for a growing local company and GMVR. Genesee Valley Transportation is looking to expand this facility due to increase in demand from local customers and is planning to add 12,160 sq. ft. for a total of 37,160 sq. ft.

The company is seeking assistance from the GCEDC with a sales tax exemption valued at approx. \$42,912 and a property tax exemption, based on the incremental increase in assessed value, valued at approx. \$99,226. The company is planning to invest approx. \$1,011,000 into this project.

C. Suozzi asked the Board to approval Resolution No. 03/2017-01; to accept the application and set a public hearing.

Resolution No. 03/2017-01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING THE APPLICATION OF GENESEE & MOHAWK VALLEY RAILROAD CO., INC. 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

**J. Rizzo made a motion to approve the Genesee Valley Transportation – Initial Resolution No. 03/2017-01; 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.**

**3.2 CLP Darien Lake, LLC PILOTs Transfer – Resolution No. 03/2017-02** – M. Masse shared in connection with the purchase of the direct and/or indirect equity interests of CLP Darien Lake, LLC, they are requesting that all existing PILOTs that the GCEDC has approved for prior projects be transferred to the purchaser.

M. Masse asked the Board to approve Resolution No. 03/2017-02; authorizing the assignment of existing PILOTs to the purchaser and authorizing the execution and delivery of any necessary and related documents.

Resolution No. 03/2017-02

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) AUTHORIZING THE ACQUISITION BY A PURCHASER OR ITS AFFILIATES OF 100% OF THE DIRECT AND/OR INDIRECT EQUITY INTERESTS OF CLP DARIEN LAKE, LLC, (ii) AUTHORIZING THE ASSIGNMENT TO THE PURCHASER OF THE RIGHTS, TITLE AND INTERESTS OF CLP DARIEN LAKE, LLC IN AND TO CERTAIN LEASE AGREEMENTS, LEASEBACK AGREEMENTS AND PILOT AGREEMENTS, AND (iii) AUTHORIZING THE EXECUTION AND DELIVERY BY THE AGENCY OF A CERTAIN CONSENT AND ESTOPPEL CERTIFICATE, ASSIGNMENT, AND RELATED DOCUMENTS

**M. Davis made a motion to approve the CLP Darien Lake, LLC PILOTs Transfer – Resolution No 03/2017-02; the motion was seconded by J. Rizzo. 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.**

#### **4.0 Audit & Finance Committee – M. Gray**

**4.1 Dedication of Gateway I Parcel to the Town of Batavia (Storm Water Pond)** – M. Gray shared that the GCEDC would like to dedicate parcel 8.-1-65 located in the Gateway I Corporate Park to the Town of Batavia. This parcel consists of 4.40 acres and is storm water pond for the roadway. This was recommended by the Audit & Finance Committee.

**M. Gray made a motion to approve the Dedication of Gateway I Parcel to the Town of Batavia (Storm Water Pond); 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.**

**4.2 Park Strategies – Lobbying Services Contract Renewal** – R. Tabela shared that the GCEDC government relations contract with Fred Hiffa and Megan Osika from Park Strategies (Albany), that provides support from Rick Winter or Richardson Management Group (Buffalo), expires on March 31, 2017.

Park Strategies lobbying services have been effective in helping to advance the mission of the WNY STAMP site, as well as, assisting the agency find funding opportunities for site infrastructure. Park Strategies works directly with the GCEDC to formulate strategies that maximize our efforts to build-out WNY STAMP and to attract major investment to the site. Park Strategies also ensures that the WNY STAMP project remains top of the mind with New York State Legislators, as well as, with our Federal representatives in the US Congress, and the US Senate. Other services provided by Park Strategies include advocacy on behalf of the GCEDC, research and reporting on bill status, and weekly conference calls with staff.

R. Tabelski asked the Board to approve the contract not to exceed \$51,000. This has been accounted for in the 2017 budget.

**M. Gray made a motion to approve the Park Strategies – Lobbying Services Contract Renewal; the motion was seconded by J. Rizzo. 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.

## **5.0 Governance & Nominating Committee – J. Rizzo**

**5.1 Mission Statement & Measurement Report –** J. Rizzo shared that the Authority’s Board must annually review the authority’s mission statement and performance results to ensure that its mission has not changed and that the authority’s performance goals continue to support its mission. The 2017 organizational goals have already been reviewed with the Board. This report will be submitted to the ABO. This has been recommended by the Governance & Nominating Committee.

**J. Rizzo made a motion to approve the Mission Statement & Measurement Report 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.

**5.2 Authority Self-Evaluation of Prior Year Performance –** J. Rizzo shared that Public Authorities are required to perform a self-evaluation of prior year’s goals/measurements annually. These have previously been reviewed by the Board and are formalized here. This report will be submitted to the ABO. This has been recommended by the Governance & Nominating Committee.

**J. Rizzo made a motion to approve the Authority Self-Evaluation of Prior Years’ Performance 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.

## **6.0 STAMP Committee – P. Zelif**

**6.1 Park Branding Information for Signage –** P. Zelif shared that the GCEDC is currently looking at putting up a main entrance sign at the STAMP site along the new access road that will be constructed this summer.

In December of 2011, CH2M Hill had put together a branding package that shows the potential for three different types of signage and related accents at the site. The STAMP Committee is recommending option 1. This remains in line with how the park is currently being branded.

**P. Zeliff made a motion to approve the Park Branding Information for Signage as presented; the motion was seconded by J. Rizzo. Roll call resulted as follows:**

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

**The item was approved as presented.**

**6.2 Donation of Property to NYSDOT for Right of Way – Resolution No. 03/2017-03** – P. Zeliff shared that the GCEDC is currently working through the approval process with NYSDOT for the main entrance road at STAMP. This project will require Route 77/63 to be widened to a point where it will be outside of NYSDOT's existing ROW. In order to complete the project, NYSDOT is requesting that the GCEDC donate the property to NYSDOT so they can expand their ROW to cover the road widening and associated shoulder slopes. There are a few documents that are required to be completed along with a new title search and discharge of any mortgages with NYS. The GCEDC is estimating these costs not to exceed \$20,000 for Phillips Lytle, Frontier Abstract, and any legal firms doing work on behalf of Call Farms and the Town of Alabama who are being asked to donate property on the other side of Route 77/63. This has been recommended by the STAMP Committee.

Resolution No. 03/2017-03

RESOLUTION (i) AUTHORIZING THE DONATION OF CERTAIN PORTIONS OF THE REAL PROPERTY WITH THE SBL NOS: 10.-1-32.22, 10.-1-32.12 AND 10.-1-32.21 LOCATED IN THE TOWN OF ALABAMA, GENESEE COUNTY, NEW YORK FROM THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") TO THE STATE OF NEW YORK OR ANY DEPARTMENT OR AGENCY THEREOF (THE "STATE"), AND (ii) AUTHORIZING THE TAKING OF OTHER ACTION IN CONNECTION THEREWITH.

**P. Zeliff made a motion to approve Donation of Property to NYSDOT for Right of Way as presented; the motion was seconded by J. Rizzo. Roll call resulted as follows:**

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

**The item was approved as presented.**

## **7.0 Employment & Compensation Committee**

**7.1 Nothing at this time.**

## **8.0 Other Business**

## **9.0 Adjournment**

As there was no further business, J. Rizzo made a motion to adjourn at 5:47p.m., which was seconded by M. Davis and passed unanimously.