



**Thursday, January 10, 2019
Upstate MedTech Centre – Innovation Zone
4:00 PM**

GCEDC MINUTES

Attendance

Board Members: P. Zelif, T. Bender, M. Gray, A. Young, A. Vanderhoof

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

Guests: T. Felton (GGLDC Board Member), D. Cunningham (GGLDC Board Member), G. Torrey (GGLDC Board Member), M. Wiater (GGLDC Board Member), D. Versteeg (Churchville Fire Equipment), B. Quinn (Batavia Daily News)

Absent: C. Yunker, P. Battaglia

1.0 Call to Order

M. Gray called the meeting to order at 4:03 p.m. in the Upstate MedTech Centre Innovation Zone conference room.

1.1 Enter Executive Session –

M. Gray made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 4:03 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 A. Young and approved by all members present.

1.2 Enter Public Session –

A. Young made a motion to enter back into public session at 4:20 p.m., seconded by M. Gray and approved by all members present.

Presentation: Churchville Fire Equipment – Dave Versteeg of Churchville Fire Equipment shared that they sell fire trucks, fire gear, and service and support everything they carry. They currently have approx. 50 employee owners and have seen sales spike in the last couple years. There is no more room at their current facility. They came across an opportunity to purchase an existing building in Pavilion. They plan to move their new trucks out of their existing service center location to their new showroom. This will be a dedicated space for clients. The project will consist of retrofitting the existing garage bays into a showroom and building a painting booth.

D. Versteeg left the meeting at 4:28 p.m.

2.0 Chairman’s Report & Activities

2.1 Upcoming Meetings:

Next Scheduled Board Meeting: Thursday, February 7th at 4:00pm
Audit & Finance Committee Meeting: Tuesday, February 5th at 8:30 a.m.
STAMP Committee Meeting: Tuesday, February 5th at 10:30 a.m.

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

2.3 Minutes: December 6, 2018 and December 20, 2018

M. Gray made a motion to approve the December 6, 2018 and December 20, 2018 minutes; the motion was seconded by A. Young. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zeff -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

3.0 Report of Management

3.1 Churchville Fire Equipment – Final Resolution – Churchville Fire Equipment is purchasing an existing 7,200 sq. ft. facility in Pavilion to be their new truck set-up shop and truck refurbishment center. The company is investing approx. \$900,000. The company is planning to create 3 new jobs.

The company is seeking assistance from the GCEDC with a sales tax exemption valued at approx. \$16,000, a mortgage tax exemption valued at approx. \$5,040 and a standard PILOT, based on the incremental increase in assessed value, valued at approx. \$30,352. As benefits do not exceed \$100,000, a public hearing is not required to be held.

The Board reviewed the Statement of Compliance of Project Criteria. See 'Attachment A'.

C. Suozzi asked the Board to approve resolution no. 01/2019-01, approving incentives for the project.

Resolution No. 01/2019-01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING THE APPLICATION OF CHURCHVILLE FIRE EQUIPMENT CORP. WITH RESPECT TO A CERTAIN PROJECT, (ii) APPOINTING CHURCHVILLE FIRE EQUIPMENT CORP. AS AGENT OF THE AGENCY TO UNDERTAKE THE PROJECT, (iii) MAKING A DETERMINATION UNDER ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT, (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY WITH RESPECT TO THE PROJECT IN THE FORM OF (a) A SALES AND USE TAX EXEMPTION, (b) A PARTIAL REAL PROPERTY TAX ABATEMENT, AND (c) A MORTGAGE RECORDING TAX EXEMPTION AS PERMITTED BY NEW YORK STATE LAW, (v) AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGENT, FINANCIAL ASSISTANCE AND PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT AND TAX AGREEMENT WITH RESPECT TO THE PROJECT, AND (vi) AUTHORIZING THE EXECUTION AND DELIVERY OF A MORTGAGE AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

A. Young made a motion to approve resolution no. 01/2019-01 as presented; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia - Absent
T. Bender - Yes
A. Young - Yes
A. Vanderhoof - Yes

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

The item was approved as presented.

4.0 Audit & Finance Committee – M. Gray

4.1 November 2018 Financial Statements – L. Farrell reviewed the November Financial Statements with the Board and noted the following:

- Restricted Cash decreased as qualifying expenditures were made using the STAMP ESD Imprest account funds and the County \$4M.
- \$50K was received from the Town of LeRoy per the Intermunicipal Agreement for improvements to the LeRoy Food & Tech Park. This is recorded as Restricted Cash and Unearned Revenue on the Balance Sheet.
- Decrease in Accounts Payable; Received the Yancey's Fancy PIF payment in October; the funds were turned over to the Town of Pembroke in November.
- All other expenditures are in line with the budget except as noted. We are under budget on a consolidated basis YTD.

This was recommended for approval by the Committee.

M. Gray made a motion to approve the November 2018 Financial Statements; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia - Absent
T. Bender - Yes
A. Young - Yes
A. Vanderhoof - Yes

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

The item was approved as presented.

4.2 D&O Insurance Renewal – M. Gray shared that Lawley has provided the Agency with a proposal for renewal of the current D&O Policy with Travelers. The renewal price reflects no increase in premiums compared to the current policy. The current policy expires on 2/23/19.

The cost of this policy would be split between GCEDC and GGLDC (\$5,230/entity) and is within each entity's budget for 2019. This was recommended for approval by the Committee.

M. Gray made a motion to approve the Directors & Officer's Insurance Renewal as presented; the motion was seconded by A. Young. Roll call resulted as follows:

P. Battaglia - Absent
T. Bender - Yes
A. Young - Yes
A. Vanderhoof - Yes

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

The item was approved as presented.

4.3 2019 County Funding Contract – M. Gray shared that the Committee recommends approval of the Genesee County Funding Contract for the period of January 1, 2019 – December 31, 2019. Total funding to be received in 2019 is \$233,513; this is a \$40K increase to the 2018 funding level.

This was recommended for approval by the Committee.

M. Gray made a motion to approve the 2019 County Funding Contract as presented; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

4.4 ECIDA Shared Services Agreement – M. Gray shared that the GCEDC has a shared services agreement with Erie County Industrial Development Agency (ECIDA) for on call IT support services. The GCEDC had this agreement in 2016, 2017 and 2018 and was very pleased with the service and response time to our issues. We would like to continue this agreement in 2019. The agreement is at an hourly rate of \$85. The staff would like Board approval to spend up to \$6,000 on IT services, \$600 for website hosting, \$720 for Antivirus software, \$2,200 for CRM hosting and \$500 for any CRM upgrades needed in 2019. All expenditures have been included in the 2019 budget.

This was recommended for approval by the Committee.

M. Gray made a motion to approve the contract with ECIDA for IT Services as presented; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	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

6.1 Amendment to Intermunicipal Agreement with Town of Alabama - As part of the funding for the Phase II Town of Alabama water project, there are some grants in the Town's name, and some funding in the GCEDC's name. The grants in the Town's name would require the Town to spend the money first, then be reimbursed. The Town and the GCEDC have spelled out the terms of an Intermunicipal Agreement that defines which party is responsible for components of the project. The Town will also be cosignatory to the construction contract. This agreement was approved by the Board and the Town in March of 2018 with a not to exceed amount of \$8,750. The Town has received the draft information for

ESD Board approval regarding to the \$1.5 million CFA for part of Phase II of the Town's water project and it requires a 1% commitment fee of \$15,000. The GCEDC is seeking to amend the IMA with the Town to increase the not to exceed amount to include the payment of the commitment fee.

The GCEDC is seeking to amend paragraph four of the agreement to read as follows:

Cost Allocations: The Town shall only be obligated to pay \$1,750,000.00, the equivalent amount awarded under the aforementioned grants toward the total cost of construction of Phase 2. All other costs and expenses in connection with the construction of Phase 2 shall be borne by GCEDC. Furthermore, any expenses incurred by the Town associated with said grants or Bond Anticipation Notes required to be obtained by the Town in connection with said grants, including legal or administration fees shall be borne by GCEDC in an amount not to exceed \$8,750.00, a commitment fee for the Consolidated Funding Award in the amount of \$15,000.00 and interest expense not to exceed \$73,000.00. In the event a consultant is retained to administer said grants they shall be chosen by mutual consent of the parties.

The legal or administration fees payable by the GCEDC not to exceed \$8,750 and interest not to exceed \$73,000 will be covered under the ESD \$33M grant. The \$15,000 commitment fee for the CFA cannot be covered under other NYS funding sources and will be covered by GCEDC funds. M. Masse will look into the possibility of using the County \$4M to cover the commitment fee.

This was not recommended by the Committee as there was no quorum.

P. Zeliff made a motion to approve the amended Intermunicipal Agreement with the Town of Alabama including any expenses as listed in the agreement; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zeliff -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

6.2 Additional Archeological Monitoring – Tonawanda Seneca Nation - As part of the archeological work that is performed at the STAMP site, the Tonawanda Seneca Nation has a monitor on site to help identify any artifacts that are found. The GCEDC Board approved to pay up to \$12,000 for the monitoring based on an estimate of time needed. In December of 2018 the Phase III field work was finally completed, and the total hours on site for the monitoring was higher than anticipated, requiring an increase of \$1,150 to the original approval.

This expense it to be covered by the \$33M grant. This was not recommended by the Committee as there was no quorum.

P. Zeliff made a motion to approve reimbursing the Tonawanda Seneca Nation for Archeological Monitoring for an amount not to exceed \$13,150; the motion was seconded by A. Young. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zeliff -	Yes

A. Young - Yes
A. Vanderhoof - Yes

M. Gray - Yes

The item was approved as presented.

7.0 Employment & Compensation Committee – T. Bender

7.1 Nothing at this time.

8.0 Other Business

8.1 Nothing at this time.

9.0 Adjournment

As there was no further business, A. Young made a motion to adjourn at 4:36 p.m., which was seconded by M. Gray and passed unanimously.



Project Name: Churchville Fire Equipment

Board Meeting Date: January 10, 2019

STATEMENT OF COMPLIANCE OF PROJECT CRITERIA LISTED IN UNIFORM TAX EXEMPTION POLICY (UTEP)

PROJECT DESCRIPTION:

The company is purchasing an existing 7200 sq. ft. facility in Pavilion to be their new truck set-up shop and truck refurbishment center.

Criteria #1 – The Project pledges to create and/or retain quality, good paying jobs in Genesee County.

Project details: The company is creating 3 FTE’s with average salary of \$45,000.

Board Discussion: None.

M. Gray made a motion to concur with Criteria #1; the motion was seconded by A. Young. Roll call resulted as follows:

- | | | | |
|-----------------|--------|-------------|--------|
| P. Battaglia - | Absent | C. Yunker - | Absent |
| T. Bender - | Yes | P. Zelif - | Yes |
| A. Young - | Yes | M. Gray - | Yes |
| A. Vanderhoof - | Yes | | |

The item was approved as presented.

Board Concurrence: YES NO If no, state justification:

Criteria #2- Completion of the Project will enhance the long -term tax base and/or make a significant capital investment.

Project details: The project will enhance long term tax base and make a total investment of \$900,000.

Board Discussion: None.

Attachment A

M. Gray made a motion to concur with Criteria #2; the motion was seconded by A. Young. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

Board Concurrence: YES NO **If no, state justification:**

Criteria #3- The Project will contribute towards creating a “liveable community” by providing a valuable product or service that is underserved in Genesee County.

Project details: N/A

Board Discussion: None.

Board Concurrence: YES NO **If no, state justification:**

Criteria #4: The Board will review the Agency’s Fiscal and Economic Impact analysis of the Project to determine if the Project will have a meaningful and positive impact on Genesee County. This calculation will include the estimated value of any tax exemptions to be provided along with the estimated additional sources of revenue for municipalities and school districts that the proposed project may provide.

Project details: For every \$1 of public benefit offered, the company is investing and helping generate an economic contribution/economic impact of \$78 into the local/regional/state economy. See economic impact report for further details.

Board Discussion: None.

M. Gray made a motion to concur with Criteria #4; the motion was seconded by A. Young. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

Attachment A

Board Concurrence: YES NO If no, state justification:

Criteria #5: The Project is included in one of the Agency's strategic industries: Agri-Business and Food Processing, Manufacturing, Advanced Manufacturing and Nano-Enabled Manufacturing, Life Sciences and Medical Device.

Project details: N/A

Board Discussion: None.

Board Concurrence: YES NO If no, state justification:

Criteria #6: The Project will give a reasonable estimated timeline for the completion of the proposed project.

Project details: The project is planning on closing the 1st quarter of 2019 be operational shortly thereafter.

Board Discussion: None.

M. Gray made a motion to concur with Criteria #6; the motion was seconded by A. Young. Roll call resulted as follows:

P. Battaglia -	Absent	C. Yunker -	Absent
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

Board Concurrence: YES NO If no, state justification: