



**GCEDC Board Meeting
Thursday, December 16, 2021
Location: Electronically
4:00 PM**

GCEDC MINUTES

Attendance

Board Members: C. Yunker, M. Clattenburg, M. Gray, P. Battaglia, T. Bender (Audio/Phone), C. Kemp
Staff: L. Farrell, M. Masse, J. Krencik, S. Hyde, L. Casey, P. Kennett
Guests: R. Gaenzle (Harris Beach)
Absent: P. Zelif

1.0 Call to Order

M. Gray called the meeting to order at 4:01 p.m via conference call / video conference.

Governor Kathy Hochul signed legislation (S.50001 / A.40001) on September 2, 2021 extending virtual access to public meetings under NYS's Open Meetings Law, which allows virtual participation in local government meetings during the COVID-19 pandemic. This meeting is being held electronically via conference call / video conference instead of a public meeting open for the public to attend in person.

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 4:01 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. Battaglia and approved by all members present.

S. Hyde, M. Masse, L. Farrell, J. Krencik and L. Casey left the meeting at 4:12 p.m.

1.2 Enter Public Session

P. Battaglia made a motion to enter back into public session at 4:40 p.m., seconded by M. Clattenburg and approved by all members present.

S. Hyde, M. Masse, L. Farrell, J. Krencik, and L. Casey and rejoined the meeting at 4:40 p.m.
R. Gaenzle joined the meeting at 4:40 p.m.
P. Kennett joined the meeting at 4:42 p.m.

2.0 Chairman's Report & Activities

2.1 Upcoming Meetings:

Next Scheduled Board Meeting: Thursday, January 13th at 4:00 p.m.

Audit & Finance Committee Meeting: Tuesday, January 11th at 8:30 a.m.

STAMP Committee Meeting: Wednesday, January 12th at 8:00 a.m.

Employment & Comp Committee Meeting: Thursday, January 13th at 3:00 p.m.

Final 2022 Meeting Schedule

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

3.0 Report of Management

3.1 Mega Properties - Mortgage Tax Only - Final Resolution - Mega Properties, Inc. is proposing to purchase the former Aludyne (Chassix) building (147,000 sq ft) on Federal Drive in the town of Batavia.

The project is investing \$8.5 million and is pledging to create 11 FTEs with an average salary range of \$30,000-\$80,000 annually plus benefits.

The project is seeking assistance from the GCEDC in the form of a property tax abatement (\$483,847) (standard 60% abatement over 10 years), a sales tax abatement (\$60,000), and a mortgage tax exemption (\$60,000).

The company would like to close on their mortgage financing with their lender prior to year-end. Due to time constraints, it was not possible to schedule a public hearing for the above-mentioned incentives prior to this meeting (December 16th) that would have enabled the potential authorization of all benefits.

A public hearing is not required for the authorization of the mortgage tax exemption because this benefit is estimated to be under \$100,000. Therefore, the mortgage tax exemption only is coming before the Board for review and approval.

A public hearing has been scheduled for December 21, 2021 at 2 p.m. for incentives in excess of \$100,000. The final authorization for these incentives will be brought forward after the public hearing has been held.

See the Statement of Compliance of Project Criteria Listed in the Uniform Tax Exemption Policy (UTEPP), attached to the minutes for additional Project details and Board approvals.

Section 1 (C) of the resolution states: "The Agency has the authority to take the actions contemplated herein under the Act, and that the Financial Assistance shall not exceed \$100,000 until a public hearing is held pursuant to Section 859-a of the Act".

Resolution No. 12/2021 - 03

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (ii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iii) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX

AGREEMENT AND (C) AN EXEMPTION FROM MORTGAGE RECORDING TAXES IMPOSED ON THE FINANCING RELATED TO THE PROJECT; AND (iv) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT, MORTGAGE AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

C. Yunker made a motion to accept the Final Resolution #12/2021-03 authorizing the incentive of mortgage tax exemption as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Audio/Phone)	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.0 Audit & Finance Committee

4.1 Nothing at this time.

5.0 Governance & Nominating Committee – C. Yunker

5.1 Nothing at this time.

6.0 STAMP Committee – P. Zelif

6.1 Nothing at this time.

7.0 Employment & Compensation – T. Bender

7.1 CEO Contract Review – T. Bender stated that the Employment and Compensation Committee met earlier in the day at 9:30 a.m. The committee recommends approval of Steve Hyde's three-year contract extension as CEO and a 4.5% annual adjustment in salary.

T. Bender made a motion to approve a three-year contract extension for CEO, Steve Hyde, and a CEO Merit /COLA Adjustment of 4.5%; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes (Audio/Phone)	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

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 5:06 p.m., which was seconded by M. Clattenburg and passed unanimously.



Project Name: Mega Properties, Inc – Mortgage Tax Exemption Only Portion

Board Meeting Date: December 2, 2021

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

PROJECT DESCRIPTION:

Mega Properties, Inc. is proposing to purchase the former Aludyne (Chassix) building (147,000 sq ft) on Federal Drive in the town of Batavia.

The project is investing \$8.5 million and is pledging to create 11 FTEs with an average salary range of \$30,000-\$80,000 annually plus benefits.

The project is seeking assistance from the GCEDC in the form of a property tax abatement (\$483,847), a sales tax abatement (\$60,000), and a mortgage tax exemption (\$60,000).

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

Project details: The project will retain 9 FTEs and create 11 FTEs with an average salary range \$30,000-\$80,000 annually + benefits.

Board Discussion: None.

P. Battaglia made a motion to concur with Criteria #1; 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 -	Yes
C. Kemp -	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 is purchasing a recently vacated building and will enhance long term tax base with an investment of \$8,500,000.

Board Discussion: None.

T. Bender made a motion to concur with Criteria #2; 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 -	Yes
C. Kemp -	Yes		

The item was approved as presented.

Board Concurrence: YES NO If no, state justification:

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

Project details: N/A

Board Discussion: None.

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 the company is investing \$ 7 into the local economy

Board Discussion: None.

P. Battaglia made a motion to concur with Criteria #4; 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 -	Yes
C. Kemp -	Yes		

The item was approved as presented.

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.

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

Project details: The project is planning to purchase the facility the first quarter of 2022.

Board Discussion: None.

C. Yunker made a motion to concur with Criteria #6; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia - Yes

T. Bender - Yes

M. Clattenburg - Yes

C. Kemp - Yes

C. Yunker - Yes

P. Zelif - Absent

M. Gray - Yes

The item was approved as presented.

Board Concurrence: YES NO If no, state justification: