



**GCEDC Board Meeting  
Thursday, July 1, 2021  
Location: Innovation Zone  
4:00 PM**

**GCEDC MINUTES**

**Attendance**

Board Members: C. Yunker, T. Bender, M. Clattenburg, P. Battaglia, P. Zeliff  
Staff: L. Farrell, M. Masse, L. Casey, J. Krencik, S. Hyde, C. Suozzi, P. Kennett  
Guests: S. Noble-Moag (GGLDC Board Member), P. Call (GGLDC Board Member), T. Felton (GGLDC Board Member), D. Cunningham (GGLDC Board Member), P. Marchese (Just Chez Realty, LLC), R. Crossen (Town of Alabama Supervisor), A. Walters (Phillips Lytle), C. Bucki (Phillips Lytle), R. Gaenzle (Harris Beach), M. Boylan (Boylan Law Office)  
Absent: M. Gray, A. Vanderhoof

**1.0 Call to Order**

P. Zeliff called the meeting to order at 4:02 p.m. in the Innovation Zone.

**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 4:02 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 T. Bender and approved by all members present.

C. Bucki, A. Walters, R. Crossen, and M. Boylan left the meeting at 4:48 p.m.

**1.2 Enter Public Session**

P. Battaglia made a motion to enter back into public session at 4:48 p.m., seconded by T. Bender and approved by all members present.

**2.0 Chairman's Report & Activities**

**2.1 Upcoming Meetings:**

**Next Scheduled Board Meeting: Thursday, August 5<sup>th</sup> at 3:00 p.m. (GLOW Corporate Cup)**

Audit & Finance Committee Meeting: Tuesday, August 3<sup>rd</sup> at 8:30 a.m.

STAMP Committee Meeting: Tuesday, August 3<sup>rd</sup> at 10:30 a.m.

**2.2 Agenda Additions / Deletions / Other Business-**

**P. Battaglia made a motion to add Agenda item 3.9 Authorizing Resolution for Savarino Companies, LLC/Ellicott Station; the motion was seconded by C. Yunker. Roll call resulted as follows:**

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

**The item was approved as presented.**

### **2.3 Minutes: June 3, 2021**

**C. Yunker made a motion to approve the June 3, 2021 minutes 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 -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
A. Vanderhoof -	Absent		

**The item was approved as presented.**

P. Marchese joined the meeting at 4:50 p.m.

**Presentation – Just Chez Realty** – Paul Marchese provided an overview of his project which will create 2 market-rate apartments at 206 E. Main St. He is proposing a \$450,000 renovation project in the City of Batavia as part of Batavia's Downtown Revitalization Initiative. The project may be completed in phases as bids are coming in higher than anticipated.

P. Marchese left the meeting at 4:55 p.m.

### **3.0 Report of Management**

**3.1 Bright Oak Solar – Re-assignment of PILOT** – The GCEDC has received a request of consent to assignment from Bright Oak Solar. Bright Oak Solar constructed a 4 mW (AC) solar generation system and received incentives from the GCEDC, including a PILOT. In accordance with the terms and conditions of the PILOT agreement the company cannot transfer the PILOT without the approval of the Board of Directors of the GCEDC. A written request from Bright Oak Solar was included with Board materials.

Fund Commitment: None. The company is required to cover the legal fees to transfer the PILOT.

**P. Battaglia made a motion to approve the consent to assignment request 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 -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
A. Vanderhoof -	Absent		

**The item was approved as presented.**

**3.2 Just Chez Realty – Final Resolution** - Just Chez Realty, LLC, is proposing a \$450,000 renovation project in the City of Batavia as part of Batavia's Downtown Revitalization Initiative.

The applicant owns and operates the 13,324 SF building at 206 E. Main St. and will renovate approximately 6,000 SF. The project will create 2 market-rate apartments and follows the completion of first-floor improvements to the building.

The project is aligned with the Batavia DRI's strategy to grow market-rate housing opportunities and the Finger Lakes Regional Economic Development Council Strategic Plan.

Additionally, the project addresses the housing demand and economic impact of housing recognized in two recent studies - LaBella Associates "Genesee County Housing Needs Assessments" and The Rockefeller Institute of Government "Generating Growth in Genesee County".

The applicant is seeking a sales tax exemption estimated at \$21,600 to support the project.

A public hearing will not be held as benefits are estimated to be under \$100,000.

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

Resolution No. 07/2021 - 01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION WITH RESPECT TO A CERTAIN, (ii) APPOINTING JUST CHEZ REALTY LLC (THE "COMPANY") 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 FOR THE BENEFIT OF THE COMPANY IN THE FORM OF A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE PROJECT, AND (v) AUTHORIZING THE EXECUTION AND DELIVERY BY THE AGENCY OF A PROJECT AGREEMENT, NYS FORM ST-60 AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT

**P. Battaglia made a motion to accept final resolution #07/2021-01, authorizing incentives 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 -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
A. Vanderhoof -	Absent		

**The item was approved as presented.**

**3.3 Economic Development Partner Fee (Just Chez Realty) -**

**M. Clattenburg made a motion to approve the Economic Development Partner Fee to the Batavia Development Corp. in the amount of \$1,125 for the Just Chez Realty, LLC Project at 206 E. Main St.; the motion was seconded by T. Bender. Roll call resulted as follows:**

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

**The item was approved as presented.**

**3.4 Trousdale Solar – Initial Resolution** - The company is planning a community solar farm project in the Town of Batavia. The project is a 5 (AC) MW solar generation system that will be interconnected with National Grid.

The project will provide enhanced property tax payments via a 15-year PILOT that are significantly greater than the current agricultural-vacant land value of the project. The project will contribute \$6,000/MWAC + a 2% annual escalator, with the 5 MWAC solar farm generating in excess of \$518,803 in PILOT payments to the Batavia City School District and Genesee County over the 15-year term. The project will also fund a community benefit agreement for workforce development and economic development projects in Genesee County.

The project is aligned with New York's aggressive goals for renewable energy, energy efficiency and greenhouse gas reductions, and offer customers a 10% discount vs average market rates for the generated power.

In addition to these benefits, the project is supporting the continued viability of the agricultural economy in Genesee County.

Resolution No. 07/2021 - 02

RESOLUTION OF THE GENESSEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESSEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION WITH RESPECT TO A CERTAIN PROJECT (THE "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.

**P. Battaglia made a motion to accept initial resolution #07/2021-02, authorizing the scheduling of a public hearing; the motion was seconded by C. Yunker. Roll call resulted as follows:**

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

**The item was approved as presented.**

**3.5 Trousdale Solar II – Initial Resolution** - The company is planning a community solar farm project in the Town of Batavia. The project is a 4 (AC) MW solar generation system that will be interconnected with National Grid.

The project will provide enhanced property tax payments via a 15-year PILOT that are significantly greater than the current agricultural-vacant land value of the project. The project will contribute \$6,000/MWAC + a 2% annual escalator, with the 5 MWAC solar farm generating in excess of \$415,042 in PILOT payments to the Batavia City School District and Genesee County over the 15-year term. The project will also fund a community benefit agreement for workforce development and economic development projects in Genesee County.

The project is aligned with New York's aggressive goals for renewable energy, energy efficiency and greenhouse gas reductions, and offer customers a 10% discount vs average market rates for the generated power.

In addition to these benefits, the project is supporting the continued viability of the agricultural economy in Genesee County.

Resolution No. 07/2021 - 03

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION WITH RESPECT TO A CERTAIN PROJECT (THE "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.

**P. Battaglia made a motion to accept initial resolution #07/2021-03, authorizing the scheduling of a public hearing; the motion was seconded by C. Yunker. Roll call resulted as follows:**

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

**The item was approved as presented.**

**3.6 Gateway GS, LLC – Initial Resolution** - Gateway GS LLC (Gallina Development) is proposing to build out a third building at the GCEDC's Gateway II Corporate Park in the town of Batavia. The facility will be 27,000 SF and will be completed in 2022 for a single logistics-distribution tenant.

The project is investing \$2.36 million and is pledging to create 21 FTE's with an average salary of \$42,000 annually plus benefits.

The project is seeking assistance from the GCEDC in the form of a property tax abatement (\$257,971), a sales tax abatement (\$108,960), and a mortgage tax exemption (\$20,000).

A public hearing will be held as benefits exceed \$100,000.

Resolution No. 07/2021 - 04

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF GATEWAY GS, LLC WITH RESPECT TO A CERTAIN

PROJECT (THE "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 #07/2021-04, authorizing the scheduling of a public hearing; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

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

**The item was approved as presented.**

**3.7 Plug Power – STAMP Main Substation – IDA “origination fee”** - The agreement established between the GCEDC and Plug Power to advance funds to construct the STAMP main substation is being undertaken collaboratively in the “spirit” of advancing the infrastructure development of the STAMP campus. This will enhance opportunities to attract additional private investment and jobs. As such, the benefit related to this investment, up to \$55.3M which was amended to the Plug Power application to facilitate making equipment and materials purchases for the main substation exempt from sales tax, is largely a capacity building effort designed to benefit the GCEDC directly which will ultimately benefit multiple customers locating at STAMP in the future.

Given the direct benefit related to this investment is to advance infrastructure readiness at STAMP and enable GCEDC’s sales and business development efforts to attract private investment and jobs to the campus for which the GCEDC is a tax-exempt entity, S. Hyde seeks concurrence and approval that the GCEDC “Origination Fee” of 1.25% of the benefitted amount does not apply to the \$55.3M amendment of Plug Power’s application for financial incentives.

**P. Battaglia made a motion to approve that the GCEDC “Origination Fee” of 1.25% of the benefitted amount does not apply to the \$55.3M amendment of Plug Power’s application for financial incentives; the motion was seconded by C. Yunker. Roll call resulted as follows:**

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

**The item was approved as presented.**

**3.8 Plug Power – STAMP Main Substation Resolution – Scrivner’s Error** – Included with Board materials was an amended resolution for the STAMP Main Substation. This resolution was previously approved on June 3, 2021 to increase Plug Power’s project investment to include the STAMP Main Substation of \$55.3M. However, the June 3, 2021 Plug Power Resolution included a typographical error. The corrected resolution is being brought forward to show that the appropriate dates are now reflected in the resolution. Per R. Gaenzle, a vote is not required.

**3.9 Authorizing Resolution for Savarino Companies, LLC / Ellicott Station** - S. Hyde stated that this is a request from Savarino Companies LLC, developer/owner of the Ellicott Station project to increase the mortgage tax exemption up to \$200,000. The GCEDC had previously approved up to \$189,000 in mortgage tax exemption.

Resolution No. 07/2021 - 05

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") AUTHORIZING (i), THE EXECUTION AND DELIVERY OF AN UP TO \$20,000,000 AGGREGATE PRINCIPAL AMOUNT MORTGAGE FOR THE SAVARINO COMPANIES, LLC PROJECT, AND (ii) A MORTGAGE RECORDING TAX EXEMPTION FOR THE BENEFIT OF SAVARINO COMPANIES, LLC UPON THE RECORDING OF SUCH \$20,000,000 AGGREGATE PRINCIPAL AMOUNT MORTGAGE AS PERMITTED BY NEW YORK STATE LAW

**P. Battaglia made a motion to approve resolution #03/2020-05, authorizing the increase in mortgage tax exemption up to \$200,000; the motion was seconded by C. Yunker. Roll call resulted as follows:**

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

**The item was approved as presented.**

**4.0 Audit & Finance Committee**

**4.1 May 2021 Financial Statements** - L. Farrell reviewed the May 2021 financial statements with the Board. The following was noted:

- There are no significant changes on the balance sheet.
- There is normal monthly activity on the P&L. There was mostly operating activity as there were no GURFs submitted in May.

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

**P. Battaglia made a motion to approve the May 2021 Financial Statements 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 -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
A. Vanderhoof -	Absent		

**The item was approved as presented.**

**4.2 Cyber Insurance** – At the June 3, 2021 Board meeting, the GCEDC approved a \$1,000,000 Cyber Liability Insurance Policy with Corvus/Hudson for approximately \$9,000 to be split between the GCEDC and GGLDC. However, when Lawley requested binding of coverage with Corvus/Hudson, they came back with a revised premium of more than \$12,000, which was based on their review of the items needed to bind, including their application. Although nothing had changed from what was already provided, Corvus/Hudson held firm on the revised premium.

Lawley was able to work with HSB Specialty Insurance Company to secure an alternative Cyber option. They are offering this coverage for approximately \$8,000. Their terms are similar to the proposal with Corvus/Hudson. Lawley reviewed all subjectivities with them and feel that this policy is a very solid alternative for the GCEDC to consider.

The cost of this cyber liability insurance policy is \$7,937.75, which will be split evenly between the GCEDC and GGLDC.

This was recommended for approval by the Committee.

**P. Battaglia made a motion to approve a Cyber Liability Insurance Policy with HSB Specialty Insurance Company for approximately \$4,000; the motion was seconded by T. Bender. Roll call resulted as follows:**

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

**The item was approved as presented.**

**4.3 Access Agreement for Liberty Pumps** – The GCEDC has received a request from RJ Properties/Liberty Pumps to enable construction vehicle access, as well as employee ingress and egress, across GCEDC owned property as they do some construction work on their site. They would like to request a temporary construction access off Route 19 for the construction work, and that the employees could utilize the GCEDC property to connect to Apple Tree Avenue. Pursuant to Real Property Actions & Proceedings Law Section 881 and case law the GCEDC is entitled to charge rent and recoup our attorney fees. That is not included in the agreement as staff feels that this is enabling an expansion of a long-standing existing manufacturer in Genesee County.

This was recommended for approval by the Committee.

**P. Battaglia made a motion to approve of the access agreement with no charges for rent or attorney fees for Liberty Pumps; the motion was seconded by M. Clattenburg. Roll call resulted as follows:**

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

**The item was approved as presented.**

## **5.0 Governance & Nominating Committee – C. Yunker**

**5.1 Code of Ethics** – The Committee had requested that the policy language should state that the Ethics Officer “*is*” the Board Chair as opposed to “*defaults*” to the Board Chair. This change has been made. The policy states that the Agency Board Chair shall serve as the Ethics Officer. L. Farrell requested that the change is formally approved.



This was recommended for approval by the Committee.

**C. Yunker made a motion to approve the revised Code of Ethics; the motion was seconded by T. Bender. Roll call resulted as follows:**

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

**The item was approved as presented.**

**5.2 Loewke Brill Consulting Fees** – At the October 1, 2019 meeting, the GCEDC staff presented a sample proposal from Loewke Brill Consulting Group, Inc. on how they could assist companies that will have to report to the GCEDC under the local labor reporting requirements, including assistance with waiver requests and finding local contractors to bid their projects.

The GCEDC staff had requested quotes for the costs related Plug Power, Ellicott Station and Excelsior Energy. Copies of the applications for incentives were sent to Loewke Brill for them to calculate the fee. They submitted the following:

Plug Power - \$26,760 - 24 Inspections (\$325 per visit), 24 Monthly Reports (\$690 per month), 1 time set up fee (\$1,250), 5 waiver processing fees (estimated, \$230 per waiver)

Excelsior Energy - \$20,670 - 18 inspections (\$325 per visit), 18 monthly reports (\$690 per month) , 1 time set up fee (\$1,250) , 5 waiver processing fees (estimated, \$230 per waiver)

Ellicott Station - \$18,540 - 24 Inspections (\$225 per visit), 24 monthly reports (\$460 per month), 1 time set up fee (\$950), 5 waiver processing fees (estimated, \$230 per waiver)

These prices are based on estimated schedules and are subject to change during construction.

The time was determined by what the projects listed for the duration of construction in their applications. After reviewing these numbers, staff has the following recommendation:

1. The GCEDC can pay for the set-up fee, monthly inspections and reporting, not to exceed the construction timeline in the application. If it runs over that the company should be responsible.
2. The company should pay for any waiver requests that get submitted and sent to the Board for consideration.

There are no changes to the Local Labor Policy being recommended at this time.

This was recommended for approval by the Committee.

**C. Yunker made a motion to approve the proposal from Loewke Brill Consulting on the Plug Power, Ellicott Station, and Excelsior Energy projects, excluding payment of waiver requests and not to exceed the time listed in the project application; the motion was seconded by T. Bender. Roll call resulted as follows:**

P. Battaglia - Yes  
T. Bender - Yes  
M. Clattenburg - Yes  
A. Vanderhoof - Absent

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

**The item was approved as presented.**

#### **6.0 STAMP Committee – P. Zeliff**

**6.1 Appointment of Phillips Lytle as Special Counsel** – P. Zeliff stated that the Committee recommends that the Board 1) appoints Phillips Lytle as special counsel for the current litigation and 2) approves funds to be expended up to \$10,000 to cover the insurance deductible.

**P. Zeliff made a motion to appoint Phillips Lytle as special counsel for the current litigation and approve funds to be expended up to \$10,000 to cover the insurance deductible; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Battaglia - Yes  
T. Bender - Yes  
M. Clattenburg - Yes  
A. Vanderhoof - Absent

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

**The item was approved as presented.**

#### **6.2 Phillips Lytle Contract Amendments –**

**Phillips Lytle 2021 contract for STAMP related work** -Phillips Lytle has prepared a proposal to cover the scope of work for 2021 as it relates to Tech Team support for the off-site sewer permitting and wetland permitting, the wastewater treatment facility permitting, and force main installation. The last contract that was approved for Phillips Lytle for this work was March 2, 2019.

Fund Commitment: Not to exceed \$110,000 to be included in the \$8 million.

#### **Phillips Lytle additional substation support**

The GCEDC has requested a proposal from Phillips Lytle to continue its assistance with the design, permitting, planning, structuring and negotiation of agreements for the development, operation and financing for the 345 kV to 115 kV substation that would service the STAMP site.

Fund Commitment: Increase in the contract from \$40,000 to not to exceed \$185,000 to be included in the \$8 million.

Both contracts were recommended for approval by the Committee.

**P. Zeliff made a motion to approve the Phillips Lytle contracts as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:**

P. Battaglia - Yes  
T. Bender - Yes  
M. Clattenburg - Yes  
A. Vanderhoof - Absent

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

**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**

**10.0 Adjournment**

As there was no further business, P. Battaglia made a motion to adjourn at 5:28 p.m., which was seconded by T. Bender and passed unanimously.



Project Name: Just Chez Realty, LLC

Board Meeting Date: July 1, 2021

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

### PROJECT DESCRIPTION:

Just Chez Realty, LLC, is proposing a \$450,000 renovation project in the City of Batavia as part of Batavia's Downtown Revitalization Initiative.

The applicant owns and operates the 13,324 SF building at 206 E. Main St. and will renovate approximately 6,000 SF. The project will create 2 market-rate apartments and follows the completion of first-floor improvements to the building.

The project is aligned with the Batavia DRI's strategy to grow market-rate housing opportunities and the Finger Lakes Regional Economic Development Council Strategic Plan.

Additionally, the project addresses the housing demand and economic impact of housing recognized in two recent studies - LaBella Associates "Genesee County Housing Needs Assessments" and The Rockefeller Institute of Government "Generating Growth in Genesee County".

The applicant is seeking a sales tax exemption estimated at \$21,600 to support the project.

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

Project details: N/A

**Board Discussion: None.**

**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 with a \$450,000 capital investment

**Board Discussion: None.**

**P. Battaglia 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 -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
A. Vanderhoof -	Absent		

**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:** The project will contribute towards a “livable community” as these new units are needed to address the housing demand and economic impact of housing recognized in two recent studies - LaBella Associates "Genesee County Housing Needs Assessments" and The Rockefeller Institute of Government "Generating Growth in Genesee County".

**Board Discussion: None.**

**T. Bender made a motion to concur with Criteria #3; the motion was seconded by C. Yunker. Roll call resulted as follows:**

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

**The item was approved as presented.**

**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 the company is investing \$11 into the local economy**

**Board Discussion: None.**

**P. Battaglia made a motion to concur with Criteria #4; the motion was seconded by T. Bender. Roll call resulted as follows:**

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

**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 begin construction in Summer of 2021 and be operational by first quarter of 2022.

**Board Discussion: None.**

**C. Yunker made a motion to concur with Criteria #6; the motion was seconded by M. Clattenburg.**

**Roll call resulted as follows:**

P. Battaglia - Yes

T. Bender - Yes

M. Clattenburg - Yes

A. Vanderhoof - Absent

C. Yunker - Yes

P. Zeliff - Yes

M. Gray - Absent

**The item was approved as presented.**

Board Concurrence:  YES  NO If no, state justification: