



**Meeting Agenda – STAMP Committee**  
 Genesee County Economic Development Center  
 Wednesday, July 9<sup>th</sup>, 2025 - 8:00 a.m.  
 Location: 99 MedTech Drive, Innovation Zone

Page #'s	Topic	Discussion Leader	Desired Outcome
	<b>1. Call to Order – Enter Public Session</b>	P. Zelif	
	1a. Executive Session Motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105 for the following reasons: <ol style="list-style-type: none"> <li>1. Discussions regarding proposed, pending or current litigation.</li> <li>2. 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.</li> <li>3. The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.</li> </ol> 1b. Enter Public Session	P. Zelif	
	<b>2. Chairman's Report &amp; Activities</b>	P. Zelif	
	2a. Agenda Additions / Deletions / Other Business		
2-4	2b. Minutes: June 4, 2025		Vote
	<b>3. Discussions / Official Recommendations to the Board:</b>		
5	3a. Easements for Force Main Project	M. Masse	Disc / Vote
6-18	3b. Town of Alabama Water Tank Review Fees	M. Masse	Disc / Vote
19-21	3c. Marshalling Yard Agreement with National Grid	M. Masse	Disc / Vote
22-26	3d. Electric Service Installation with National Grid	M. Masse	Disc / Vote
	3e. Letter of Credit	L. Farrell	Disc / Vote
27	3f. Appointment of Phillips Lytle as Special Counsel	M. Masse	Disc / Vote
	<b>4. Adjournment</b>	P. Zelif	Vote



GCEDC STAMP Committee Meeting  
Wednesday, June 4, 2025  
Location: 99 MedTech Drive, Innovation Zone  
8:00 a.m.

MINUTES

ATTENDANCE

Committee Members: M. Clattenburg, C. Kemp, C. Yunker, P. Zeliff  
Staff: M. Masse, L. Farrell, P. Kennett, K. Galdun, C. Suozzi, J. Krencik  
Guests: R. Crossen (Town of Alabama Supervisor), M. Fitzgerald (Phillips Lytle-Video Conference)  
Absent:

1. Call to Order / Enter Public Session

P. Zeliff called the meeting to order at 8:00 a.m. in the Innovation Zone.

1a. Executive Session

M. Clattenburg made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 8:01 a.m., for the following reasons:

1. Discussions regarding proposed, pending, or current litigation.
2. 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.
3. The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such a public body, but only when publicity would substantially affect the value thereof.

*J. Krencik left the room at 8:03 a.m. and came back in at 8:06 a.m.*

The motion was seconded by C. Kemp and approved by all members present.

1b. Re-Enter Public Session

C. Yunker made a motion to enter back into public session at 8:29 a.m., seconded by M. Clattenburg and approved by all.

2. Chairman's Report & Activities

**2a. Agenda Additions / Deletions/ Other Business** – Nothing at this time.

**2b. Minutes: April 30, 2025**

C. Yunker made a motion to approve the April 30, 2025, minutes; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Zelif - Yes  
C. Yunker - Yes  
M. Clattenburg - Yes  
C. Kemp - Yes

**The item was approved as presented.**

### **3. Discussions / Official Recommendations to the Board:**

**3a. Phillips Lytle 2025 Fee** – Phillips Lytle has prepared a proposal to cover the scope of work for the remainder of 2025 and first half of 2026 as it relates to Tech Team support for the offsite sewer permitting and wetland permitting, the wastewater treatment facility permitting, and force main installation.

**Fund Commitment:** Not to exceed \$500,000 to be included in the \$56 million.

**Board Action Request:** Recommend approval to the full Board of Phillips Lytle contract not to exceed \$500,000.

M. Fitzgerald outlined that the proposal covers the last half of 2025 and the first half of 2026, excluding any litigation, and mirrors the scope and timeframe of the previous year's approval. L. Farrell noted to members that detailed invoices are received monthly for all work performed.

**C. Yunker made a motion to recommend to the full Board the approval of the Phillips Lytle contract, not to exceed \$500,000, as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:**

P. Zelif - Yes  
C. Yunker - Yes  
M. Clattenburg - Yes  
C. Kemp - Yes

**The item was approved as presented.**

**3b. NYPA T Line Security Letter of Credit** - NYPA is requiring a construction security requirement for the line restoration for any work done within the 345 kv ROW. The security request amount is \$4,000,000. The purpose of the security is to restore the line if the developer abandons the project midway and then NYPA is required to restore the lines.

They would like to establish a timeline of mid-July to get this executed. NYPA needs to have this in place before any work can be done related to line modification.

NYPA has stated that a Letter of Credit, Cash, or Surety Bond is acceptable.

**Board Action Request:** Recommend approval to the full Board of pursuing a Letter of Credit for security.

M. Masse reviewed rates for a Letter of Credit (LOC) and Surety Bonds, noting that LOC rates were lower at 1% compared to 1.5%–2% for Surety Bonds. He recommended proceeding with a LOC and, if approved, would obtain quotes, returning in July if rates exceed expectations. P. Zelif inquired whether the LOC would likely remain unused, which M. Masse confirmed unless the project is abandoned or

## DRAFT

NYPA needs to restore the line. The LOC would remain in place until project completion or station energization, scheduled for June 2026.

**C. Kemp made a motion to recommend to the full Board the approval of pursuing a Letter of Credit as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Zelif - Yes  
C. Yunker - Yes  
M. Clattenburg – Yes  
C. Kemp - Yes

**The item was approved as presented.**

#### **4. Adjournment**

As there was no further business, C. Yunker made a motion to adjourn at 8:33 a.m., seconded by M. Clattenburg and passed unanimously.

### **STAMP Payment for easements**

**Discussion:** In conjunction with the installation of the force main from the STAMP site to the Village of Oakfield wastewater treatment facility, there are a number of easements needed. Based on a compensation model of \$2 per linear foot with a minimum of \$500, the following payments are needed for three easements:

1. Permanent Easement 1 and Permanent Easement 2 for a total of \$1,175
2. Permanent Easement 3 - \$500

**Fund Commitment:** \$1,675 from the \$56 million.

**Board Action Request:** Approval of payment of \$1,675 to the holders of the easement numbers identified above.

## **Reimbursement to Town of Alabama for site plan review of on site water tank**

**Discussion:** The GCEDC had completed the site plan approval of design and engineering of the on site water storage tank. The Town of Alabama hired Wendel Engineering to review the plans and recommend any actions to the Planning Board along with their Special Project Manager. The Planning Board approved the project. The GCEDC has received the attached invoices in connection with this review in the amount of \$7,242.92.

**Fund commitment:** The \$7,242.92 is covered under the existing \$56 million NYESD grant.

**Committee action request:** Recommend approval to the full Board to pay \$7,242.92 to the Town of Alabama.

**Invoice**  
**TOWN OF ALABAMA**

TO: GCEDC  
99 MedTech Dr., Suite 106  
Batavia, NY 14020

	Invoice Date		
	December 9, 2024		

Original Inv.	Description	Phase	Amount
	GCEDC Water Tank on STAMP		
	8/8/24 to 12/5/24 Attorney Fees		
	Invoice attached		\$ 1,400.00



	Total Amount Due		\$ 1,400.00

Please make checks payable to Town Of Alabama and send to 2218 Judge Road Oakfield, NY 14125

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**Invoice**  
**TOWN OF ALABAMA**

TO: GCEDC  
99 MedTech Dr., Suite 106  
Batavia, NY 14020

Invoice Date	
December 9, 2024	

Original Inv.	Description	Phase	Amount
	GCEDC Water Tank on STAMP		
	8/8/24 to 12/5/24 Attorney Fees		
	Invoice attached		\$ 1,400.00



	Total Amount Due		\$ 1,400.00

Please make checks payable to Town Of Alabama and send to 2218 Judge Road Oakfield, NY 14125

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**BOYLAN LAW OFFICE, LLP**

ATTORNEYS AND COUNSELORS AT LAW  
P.O. BOX 307, 45 WEST MAIN STREET  
LE ROY, NEW YORK 14482-0307  
(585) 768-8148 FAX (585) 768-7738

PAUL S. BOYLAN

MARK S. BOYLAN

PAUL A. BOYLAN

(1902-1997)

LAURENCE W. BOYLAN  
(RETIRED)

December 5, 2024

TOWN OF ALABAMA  
ROBERT CROSSEN, SUPERVISOR  
2218 JUDGE ROAD  
OAKFIELD, NY 14125

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**SERVICES FROM AUGUST 8, 2024 THROUGH DECEMBER 5, 2024**

To all services in connection with the GCEDC Fire Suppression Tank at the STAMP site, conferences with Supervisor Crossen, CEO of GCEDC Mark Masse, Jeremy DeLyser, Engineer CPL Team, Town Engineer Rob Klavoon, attendance at November 11, 2024 Town Board meeting

4 hrs. @ \$350.00/hr.= \$1,400.00

**TOTAL DUE BOYLAN LAW OFFICE, LLP**

**Invoice**  
**TOWN OF ALABAMA**

TO: GCEDC  
99 MedTech Dr., Suite 106  
Batavia, NY 14020

Invoice Date	
October 21, 2024	

Original Inv.	Description	Phase	Amount
	GCEDC Water Tank on STAMP		
	May through July 2024 Expenses		
	Spreadsheet and Invoices attached		\$ 5,842.92



	Total Amount Due		\$ 5,842.92

Please make checks payable to Town Of Alabama and send to 2218 Judge Road Oakfield, NY 14125

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375 Essjay Road, Suite 200  
Williamsville, NY 14221

## INVOICE

Invoice Number: 436011-2  
Date: June 13, 2024  
Project Number: 436011

### Town of Alabama

2218 Judge Road  
Oakfield, NY 14215

### Alabama (T) GCEDC Tank Site Plan

For Professional Services Rendered Through: May 31, 2024

### Contract Amount

Phase	Contract Amount	Total Billed	Percent Complete	Previously Billed	Current Amount
010 Site Plan Review	\$5,000.00	\$1,310.40	26.21%	\$643.86	\$666.54
	\$5,000.00	\$1,310.40		\$643.86	\$666.54

**Invoice Total**

**\$666.54**

**Please Remit Payments To:**

Wendel  
375 Essjay Road, Suite 200  
Williamsville, NY 14221

A1440.40  
#136

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**Wendel****Backup**

Invoice #: 436011-2  
Date: June 13, 2024  
Project: 436011

**For Professional Services Rendered Through: May 31, 2024****010 - Site Plan Review****Professional Services**

	<b>Date</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Civil Engineer 7				
Klavoon, Robert D	5/28/2024	1.50	250.00	\$375.00
Klavoon, Robert D	5/31/2024	1.00	250.00	\$250.00
Totals		2.50		\$625.00

**\$625.00****Reimbursable Expenses**

	<b>Date</b>	<b>Qty</b>	<b>Unit Rate</b>	<b>Amount</b>
Klavoon, Robert D - Mileage-Personal Vehicle	5/20/2024	62.00	.67	\$41.54
Totals				\$41.54

**\$41.54****010 - Site Plan Review Total:****\$666.54****Backup Total \$666.54**

BOYLAN LAW OFFICE, LLP

ATTORNEYS AND COUNSELORS AT LAW  
P.O. BOX 307, 45 WEST MAIN STREET  
LE ROY, NEW YORK 14482-0307  
(585) 768-8148 FAX (585) 768-7738

PAUL S. BOYLAN

MARK S. BOYLAN

PAUL A. BOYLAN  
(1902-1997)  
LAURENCE W. BOYLAN  
(RETIRED)

August 7, 2024

TOWN OF ALABAMA  
ROBERT CROSSEN, SUPERVISOR  
2218 JUDGE ROAD  
OAKFIELD, NY 14125

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SERVICES FROM MAY 9, 2024 THROUGH AUGUST 7, 2024

To all services in connection with the GCEDC Fire Suppression Tank at the STAMP site, conferences with Supervisor Crossen, CEO of GCEDC Mark Masse, Jeremy DeLyser, Engineer CPL Team, Town Engineer Rob Klavoon, Steve Mountain Engineer at Town of Batavia, attendance at June 17, 2024 Town Planning Board meeting

6.5 hrs. @ \$350.00/hr. = \$2,275.00

A1450.42

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375 Essjay Road, Suite 200  
Williamsville, NY 14221

## INVOICE

Invoice Number: 436011-3  
Date: July 15, 2024  
Project Number: 436011

**Town of Alabama**  
2218 Judge Road  
Oakfield, NY 14215

### Alabama (T) GCEDC Tank Site Plan

**For Professional Services Rendered Through: June 30, 2024**

For work related to the review of the GCEDC tank site plan.

### Contract Amount

Phase	Contract Amount	Total Billed	Percent Complete	Previously Billed	Current Amount
010 Site Plan Review	\$5,000.00	\$2,595.24	51.90%	\$1,310.40	\$1,284.84
	\$5,000.00	\$2,595.24		\$1,310.40	\$1,284.84

**Invoice Total**

**\$1,284.84**

#### Please Remit Payments To:

Wendel  
375 Essjay Road, Suite 200  
Williamsville, NY 14221

PAID  
\$1,284.84



**Wendel****Backup**

Invoice #: 436011-3  
Date: July 15, 2024  
Project: 436011

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**For Professional Services Rendered Through: June 30, 2024****010 - Site Plan Review****Professional Services**

	<b>Date</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Civil Engineer 7				
Klavoon, Robert D	6/14/2024	1.00	250.00	\$250.00
Klavoon, Robert D	6/17/2024	2.00	250.00	\$500.00
Klavoon, Robert D	6/26/2024	1.00	250.00	\$250.00
Principal 2				
Reilly, Andrew C	6/17/2024	1.00	250.00	\$250.00
Totals		5.00		\$1,250.00
				<b>\$1,250.00</b>

**Reimbursable Expenses**

	<b>Date</b>	<b>Qty</b>	<b>Unit Rate</b>	<b>Amount</b>
Klavoon, Robert D - Mileage-Personal Vehicle	6/17/2024	52.00	.67	\$34.84
Totals				\$34.84
				<b>\$34.84</b>

**010 - Site Plan Review Total:****\$1,284.84****Backup Total \$1,284.84**



375 Essjay Road, Suite 200  
Williamsville, NY 14221

## INVOICE

Invoice Number: 436011-4  
Date: August 05, 2024  
Project Number: 436011

**Town of Alabama**  
2218 Judge Road  
Oakfield, NY 14215

### Alabama (T) GCEDC Tank Site Plan

**For Professional Services Rendered Through: July 28, 2024**

For work related to the review of the GCEDC tank site plan.

### Contract Amount

Phase	Contract Amount	Total Billed	Percent Complete	Previously Billed	Current Amount
010 Site Plan Review	\$5,000.00	\$4,011.78	80.24%	\$2,595.24	\$1,416.54
	\$5,000.00	\$4,011.78		\$2,595.24	\$1,416.54

**Invoice Total** **\$1,416.54**

#### Please Remit Payments To:

Wendel  
375 Essjay Road, Suite 200  
Williamsville, NY 14221

### Outstanding Accounts Receivable

Invoice		0 - 30	31 - 60	61-90	Over 90	Balance
436011-3	7/16/2024	\$1,284.84	\$0.00	\$0.00	\$0.00	\$1,284.84
<b>Total:</b>		<b>\$1,284.84</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,284.84</b>

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**Wendel****Backup**

Invoice #: 436011-4  
Date: August 05, 2024  
Project: 436011

**For Professional Services Rendered Through: July 28, 2024****010 - Site Plan Review****Professional Services**

	<b>Date</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Civil Engineer 7				
Klavoon, Robert D	7/11/2024	2.00	250.00	\$500.00
Klavoon, Robert D	7/15/2024	2.00	250.00	\$500.00
Klavoon, Robert D	7/16/2024	.50	250.00	\$125.00
Principal 2				
Reilly, Andrew C	7/3/2024	.50	250.00	\$125.00
Reilly, Andrew C	7/11/2024	.50	250.00	\$125.00
Totals		5.50		\$1,375.00
				<b>\$1,375.00</b>

**Reimbursable Expenses**

	<b>Date</b>	<b>Qty</b>	<b>Unit Rate</b>	<b>Amount</b>
Klavoon, Robert D - Mileage-Personal Vehicle	7/15/2024	62.00	.67	\$41.54
Totals				\$41.54
				<b>\$41.54</b>

**010 - Site Plan Review Total:****\$1,416.54****Backup Total \$1,416.54**

Mark Masse

**STAMP Committee**  
**July 9, 2025**

**Marshalling Yard Agreement with National Grid**

**Discussion:** In connection with National Grid's re-route of the existing power line on the STAMP site they are looking to utilize up to five acres of land owned by the GCEDC as a marshalling yard for their equipment and materials. In July of 2024 the GCEDC approved a temporary use agreement with National Grid for \$1,500 per month for a period of 12 months, with the ability to extend another 12 months with notification. National Grid would like to extend this agreement for another two years to July 2028 at \$1,500 per month.

**Fund Commitment:** None.

**Committee Action request:** Recommend approval to the full Board the marshalling yard agreement with National Grid.

**FIRST AMENDMENT TO TEMPORARY USE AGREEMENT**

This First Amendment to Temporary Use Agreement ("First Amendment") is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2025 (the "Effective Date"), by and between Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center, with an office at 99 MedTech Drive, Suite 106, Batavia, NY 14020 ("Owner"), and Niagara Mohawk Power Corporation, a New York corporation with a place of business at 144 Kensington Avenue in the City of Buffalo, County of Erie, and State of New York ("User").

**WHEREAS**, Owner and User previously entered into that certain Temporary Use Agreement dated August 1<sup>st</sup>, 2024 (the "Agreement"), pursuant to which Owner granted User the right to temporarily use a portion of Owner's property located on Crosby Road in the Town of Alabama, County of Genesee, New York (the "Premises") for the purpose of storing equipment and materials; and

**WHEREAS**, pursuant to the Agreement, the parties agreed to an initial twelve (12) month term commencing on August 1, 2024 and ending on July 31, 2025, with a single option to extend for an additional twelve (12) months; and

**WHEREAS**, User has timely exercised its option to extend the term of the Agreement through July 31, 2026; and

**WHEREAS**, the parties now desire to further extend the duration of the Agreement through December 31, 2028, and agree that all other rights, obligations, and conditions set forth in the Agreement shall remain unchanged.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Extension of Term. The term of the Agreement, which was extended through July 31, 2026, is hereby further extended through December 31, 2028 (the "Extended Term"). From the Effective Date of this First Amendment until December 31, 2028, User shall be entitled to continue using and occupying the Premises in accordance with the Agreement and the terms of this First Amendment.
2. No Other Modification. Except as expressly modified in this First Amendment, all terms, representations, warranties, and conditions of the Agreement shall remain unchanged and in full force and effect. In the event of any conflict between the terms of this First Amendment and the terms of the Agreement, the terms of this First Amendment shall control. From and after the execution hereof, the term "Agreement" shall mean the Agreement as modified by this First Amendment.
3. Counterparts. This First Amendment may be executed in multiple counterparts, each of which shall be deemed an original and all of which taken together shall constitute one and the same instrument.

4. Governing Law. This First Amendment shall be governed by, and construed in accordance with, the laws of the State of New York, without regard to its conflict of laws principles.

***IN WITNESS WHEREOF***, the parties hereto have caused this First Amendment to be executed by their authorized representatives as of the date first written above.

***OWNER:***

Genesee County Industrial Development Agency  
d/b/a Genesee County Economic Development Center

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

***USER:***

Niagara Mohawk Power Corporation, a New York corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

### **Electric Service Installation with National Grid**

**Discussion:** In connection with installation of the sewer service for the Edwards project, National Grid needs to install power to the location for the pump station. They have provided a proposal of \$8,783.50 to complete this work.

**Fund Commitment:** \$8,783.50 to be covered under the existing \$56 million grant.

**Committee Action request:** Recommend approval to the full Board the electric service installation proposal with National Grid.





June 27, 2025

GCEDC  
99 Med Tech Dr  
Batavia, NY 14020

**Re: Electric Service Proposal WR# 31122527  
6725 Crosby Rd, Basom, NY Temporary Electric Service**

Enclosed please find an Electric Service Proposal for installation of distribution facilities to provide a temporary 120/240-volt single phase electric service from a National Grid installed riser pole at 6725 Crosby Rd, Basom, NY.

Pursuant to PSC No. 220 Tariff Rule 10.2, there is a cost to you in the amount of \$8,783.50 plus \$0 in applicable taxes.

***NOTE:*** *If you have an applicable tax exemption certificate, please forward along with this signed proposal. (GCEDC is Tax Exempt as a municipal organization)*

If this Proposal is acceptable, please sign and return this letter. Upon receipt of your acceptance, you will be billed under separate cover in the amount of \$8,783.50. This estimate is valid for 90 days from the date of this letter.

This work will be scheduled upon receipt of this signed proposal, payment of invoice, and completion of all responsibilities as outlined in the attached proposal.

Temporary services remain active for up to two years for non-residential requests. At any point within that two year timeframe, temporary services may either be removed completely or may remain in place as a permanent service once the foundation and structure are in place.

If the temporary service is converted into a permanent service within the designated timeframe, the Company may consider a refund for the difference in cost between the amount paid for the temporary facilities and the amount that would have been charged for a requested permanent service.

June 27, 2025

GCEDC  
99 Med Tech Dr  
Batavia, NY 14020

**Re: Electric Service Proposal WR# 31122527  
6725 Crosby Rd, Basom, NY Temporary Electric Service**

Should you have any questions, please contact me at (716) 713-9363.

Sincerely,

Daniel J Malek  
Consumer Representative  
Regional Accounts Services  
National Grid  
144 Kensington Ave  
Buffalo, NY 14214

**I ACCEPT AND AGREE TO BE BOUND BY THE TERMS OF THIS PROPOSAL:**

Print Name: \_\_\_\_\_

Title:  
(if applicable) \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

By signing this agreement, the signatory represents and warrants that he or she is duly authorized and has legal capacity to execute, deliver, and bind the party to this agreement.

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**ELECTRIC SERVICE PROPOSAL WR#31122527**

**GCEDC**  
**6725 Crosby Rd, Basom NY**

<b>Service Work Request:</b>	Single phase 120/240-volt URD Temporary Electric Service
<b>Electrical Contractor:</b>	Not available
<b>Customer's Contribution:</b>	\$8,783.50 plus taxes or \$8,783.50
<b>Billing Party:</b>	GCEDC
<b>Customer's Responsibilities:</b>	<ul style="list-style-type: none"><li>➤ Return signed Proposal cover letter, if accepted</li><li>➤ Provide all necessary right-of-way easements</li><li>➤ Notify National Grid if any changes in the Billing Party occur</li><li>➤ Payment in full, upon receipt of invoice</li><li>➤ Provide copy of Tax-Exempt Certificate (if applicable)</li><li>➤ Customer to install 120/240-volt service on pedestal and extend underground cable to National Grid's Riser Pole.</li><li>➤ Obtain Electrical Inspection from Authority Having Jurisdiction.</li><li>➤ Adherence to applicable Electric Service bulletin(s) <a href="#">Electric Specifications (site.com)</a></li></ul>
<b>National Grid Responsibilities:</b>	<ul style="list-style-type: none"><li>➤ Set two poles, one on each side of Crosby Rd.</li><li>➤ Set 25 KVA transformer on National Grid pole.</li><li>➤ Extend 50 feet of secondary conductor across highway to second pole.</li><li>➤ Upon receipt of Electrical Inspection from the Authority Having Jurisdiction, National Grid will terminate service at Riser pole, energize, and if necessary schedule the meter set for this service.</li></ul>
<b>Construction Lead Time:</b>	<p>Approximately 4-6 weeks will be necessary for construction. Upon receipt of payments, permits, right-of-way and the signed Agreement, this project will be added to National Grid's construction schedule.</p> <p><b>Note: Payment must be made upon receipt of invoice. The correct mailing address for payments will be noted on the invoice you receive.</b></p>
<b>Customer Communications Update:</b>	If a progress report is needed during construction, including the expected date for the Owners project completion, the expected completion date for the utility's work, and confirmation of the expected date for the service connection of permanent power, please contact the Company Job Owner at the number listed below.

<b>Remarks:</b>	<p>This Proposal is based upon projected cost and rate schedule provisions in effect at the date of this proposal and will be withdrawn if not accepted within 90 days of the date of this Proposal.</p> <p>This proposal and all attached documentation are proprietary property of National Grid and can only be used for its intended purpose and shall not otherwise be disclosed.</p>
<b>Prepared By:</b>	<p><i>Daniel J Malek</i> Regional Accounts Services (716)713-9363</p>

### **Appointment of Phillips Lytle as Special Counsel**

**Discussion:** With recent litigation filed against the GCEDC, the staff recommends that the Board 1) appoints Phillips Lytle as special counsel for the current litigation and 2) approves funds to be expended up to \$25,000 to cover the insurance deductible.

**Fund Commitment:** \$25,000 to be covered under operating funds.

**Committee Action request:** Recommend approval to the full Board of the appointment of Phillips Lytle as special counsel for the current litigation and approve funds to be expended up to \$25,000 to cover the insurance deductible.