



GCEDC Board Meeting
Thursday, March 27, 2025
Location: 99 MedTech Drive, Innovation Room
4:00 PM

GCEDC MINUTES

Attendance

Board Members: C. Yunker, C. Kemp, P. Zeliff, K. Manne, M. Clattenburg
P. Battaglia (Video Conference. Not officially in attendance.)

Staff: M. Masse, L. Farrell, E. Finch, J. Krencik, C. Suozzi, P. Kennett

Guests: M. Brooks (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), J. Tretter (GGLDC Board Member), G. Torrey (GGLDC Board Member), R. Gaenzle (Harris Beach), M. Fitzgerald (Phillips Lytle / Video Conference), H. Owens (The Batavian), J. Wood (Morton Builders), C. Zinni (Batavia Resident), S. Bearden (Rochester Resident), J. Bearden (Rochester Resident), A. Barnes (Medina Resident), S. Howard (Syracuse Resident), A. Yocina, S. Logan (Tonawanda Seneca Nation), G. Logan (Tonawanda Seneca Nation), Genesee County Sheriff Deputy

Absent: M. Gray

1.0 Call to Order

P. Zeliff called the meeting to order at 4:00 p.m. in the Innovation Zone.

Presentation – J. Wood with Morton Builders attended to represent the Batavia Cold Storage project. The building will be a little over 7,000 square feet on about 3 acres of land at the Ag Park. The current building for Batavia Cold Storage is 7,000 square foot and this building is for an expansion. J. Wood stated that they are not insulating the building; it is a cover for its coolers so that they do not get weathered, which makes this a simple building.

P. Zeliff asked how many docks there would be. J. Wood stated there will be two recess docks, about 30' by 50' approximately 3' below building grade with a wall system going around it and one overhead door next for the box van to be put inside at night.

C. Yunker asked where the current facility is located, and J. Wood stated 6 Treadeasy Ave.

All guests in attendance at this time, excluding GGLDC Board members and GCEDC legal counsel, left the meeting at 4:04 p.m. during executive session.

1.1 Enter Executive Session

K. Manne made a motion to enter executive session under the Public Officers' Law Article 7, Open Meetings Law Section 105, at 4:05 p.m. for the following reasons:

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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 C. Kemp and approved by all members present.

1.2 Enter Public Session

K. Manne made a motion to enter back into public session at 4:25 p.m., seconded by M. Clattenburg and approved by all members present.

Guests were welcomed to enter the meeting at 4:25 p.m.

2.0 Chairman's Report & Activities

2.1 Upcoming Meetings:

Next Scheduled Board Meeting: Thursday May 1st at 4:00 p.m.

Audit & Finance Committee Meeting: Tuesday, April 29th at 8:30 a.m.

STAMP Committee Meeting: Wednesday, April 30th at 8:00 a.m.

Annual Meeting: Friday, April 25th at 11 a.m.

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

2.3 Minutes: March 6, 2025 –

K. Manne made a motion to accept the March 6, 2025 minutes as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Zeff -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
P. Battaglia -	N/A (Video Conference. Not officially in attendance.)		

The item was approved as presented.

3.0 Report of Management

3.1 Batavia Cold Storage, LLC – Initial Resolution – Batavia Cold Storage, LLC is planning to build a 7,040 sq ft facility on 3 acres at the Genesee Valley Agri Business Park in the town of Batavia with a capital investment of \$800,000.

This project proposes creating 2 new full-time equivalent (FTE) positions.

The project is requesting assistance from the GCEDC with a sales tax exemption estimated at \$28,729, a mortgage tax exemption estimated at \$7,200 and a property tax abatement estimated at \$65,717 based on the incremental increase in assessed value via a new traditional 10-year PILOT.

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RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF BATAVIA COLD STORAGE, 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.

M. Clattenburg made a motion to accept Initial Resolution #03/2025-01, authorizing the acceptance of the application and scheduling of a public hearing as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zelif -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
P. Battaglia -	N/A (Video Conference. Not officially in attendance.)		

The item was approved as presented.

3.2 AppleTree Acres, LLC – Supplemental Resolution – Appletree Acres, LLC revised their application. They are now proposing to construct a 20,000 square-foot expansion to an existing 50,000 square-foot warehouse located at the Apple Tree Acres corporate park.

Previously the Board approved an initial resolution and a public hearing was held for a 15,000 square foot expansion. As a result the capital investment and incentives are expected to increase as follows: The ~~\$1,015,000~~ \$1,237,000 project proposes creating 4 FTEs with an estimated salary range of \$45,000 to \$65,000 annually plus benefits.

The project is requesting assistance from the GCEDC with a sale tax exemption estimated at ~~\$48,160~~ \$58,800 and a property tax abatement estimated at ~~\$142,785~~ \$213,336 based on the incremental increase in assessed value via a new traditional 10-year PILOT.

This supplemental resolution covers the changes to the project and authorizes a new public hearing to be held.

Resolution No. 03/2025 - 02

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) AUTHORIZING A SUPPLEMENTAL PUBLIC HEARING WITH RESPECT TO THE AMENDED PROJECT, (ii) DESCRIBING THE FORMS OF MODIFIED FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE AMENDED PROJECT, AND (iii) RATIFYING AND CONFIRMING THE FINDINGS OF THE AGENCY MADE IN THE RESOLUTION PREVIOUSLY ADOPTED BY THE AGENCY ON DECEMBER 18, 2024

K. Manne made a motion to accept Supplemental Resolution #03/2025-02, authorizing the acceptance of the revised application and scheduling of a public hearing as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

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P. Zelif -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
P. Battaglia -	N/A (Video Conference. Not officially in attendance.)		

The item was approved as presented.

3.3 Public Authorities Annual Report - The Annual Report was included with the Board materials as a separate attachment for review. The Annual Report is being brought forward for approval to be submitted into the PARIS reporting system. There are 79 projects in our portfolio that are reporting for 2024. The net change in employment is found by comparing the FTEs before the project with what is reported for the current year.

C. Yunker made a motion to approve the submission of the Annual Report into the PARIS reporting system; the motion was seconded by K. Manne. Roll call resulted as follows:

P. Zelif -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
P. Battaglia -	N/A (Video Conference. Not officially in attendance.)		

The item was approved as presented.

4.0 Audit & Finance Committee

4.1 12/31/24 Audit – K. Manne stated that Jason Waite of Mostert, Manzanero & Scott attended the GCEDC Audit and Finance Committee meeting to review the 2024 audit.

L. Farrell stated that no material weaknesses in internal controls were identified during the audit. It is their opinion that the audited financial statements present fairly, in all material respects, the financial position of the GCEDC as of December 31, 2024, in accordance with accounting principles generally accepted in the United States of America.

This was recommended for approval by the committee.

K. Manne made a motion to approve the 12/31/24 Audit as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Zelif -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
P. Battaglia -	N/A (Video Conference. Not officially in attendance.)		

The item was approved as presented.

4.2 Greater Rochester Enterprise Funding Request - Greater Rochester Enterprise (GRE) is our non-profit regional economic development organization supported by a team of private and public-sector leaders in the Finger Lakes region to grow the economy in Genesee County and our eastern neighbors.

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This funding request supports GRE staff partnerships with GCEDC's business development, sales and marketing, site development, and talent attraction efforts. GCEDC also receives an active role on Greater Rochester Enterprise's board of directors.

GRE staff directly enhance GCEDC's active sales funnel at STAMP and our shovel-ready sites. Notably, GRE has provided critical regional connections that further project due diligence and project implementation, as with Edwards Genesee. GRE's support also enabled the FAST NY program's legislative approval, STAMP's successful FAST NY application, and the designation of our region as a Federal Tech Hub.

This proposal was presented by GRE President & CEO Matt Hurlbutt at the October 31, 2024 GCEDC Board Meeting.

Board Request: An investment renewal of \$55,000 to Greater Rochester Enterprise for the 2025 calendar year. This expenditure is a \$3,000 increase from 2024. The requested funding was anticipated in the 2025 GCEDC dues and subscriptions budget.

This was recommended for approval by the committee.

K. Manne made a motion to approve the Greater Rochester Enterprise Funding Request not to exceed \$55,000; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Zelif -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
P. Battaglia -	N/A (Video Conference. Not officially in attendance.)		

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 Town of Alabama Review Fees for Water Tank – The GCEDC had completed the site plan approval of design and engineering of the onsite 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 invoices in connection with this review in the amount of \$4,375.00.

M. Masse stated another invoice from Town of Alabama was received on Monday, March 24, 2025 for \$3,077.25 which is to be added to the total cost due.

Fund commitment: The \$7,452.25 is covered under the existing \$56 million NYESD grant.

Committee action request: Recommend approval to the full Board to pay \$ 7,452.25 to the Town of Alabama.

This was recommended for approval by the committee.

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P. Zeliff made a motion to approve payment to the Town of Alabama for review fees related to the onsite water tank not to exceed \$7,452.25; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Zeliff -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
P. Battaglia -	N/A (Video Conference. Not officially in attendance.)		

The item was approved as presented.

6.2 Escrow Agreements – Expenses – The GCEDC Board required three data center projects that were looking at overlapping acreage to enter into agreements to cover the costs incurred by the GCEDC regarding their projects. The GCEDC Board approved the draft Escrow Agreement at the 10/31/24 Board Meeting. The agreement includes language stating - “Applicant shall reimburse invoices out of pocket consultants fees incurred in review of the Project”.

At the 1/16/25 Board Meeting, the GCEDC Board approved payment of invoices to Phillips Lytle related to the data centers, not to exceed \$25,000 per company, as this was the amount that had been received from each company at that time. Per the agreements, funds are required to be replenished as necessary. Additional funds have been received from each company.

Fund Commitment: The total amount is to be determined. Total expenses would not exceed the total funds received from these companies under the Escrow Agreements.

Board Action Request: Recommend authorization to pay expenses related to the executed Escrow Agreements in place with three data center projects. Total expenses would not exceed the total funds received from these companies under the Escrow Agreements.

This was recommended for approval by the committee.

P. Zeliff made a motion to approve payment of expenses related to the executed escrow agreements in place with the three data center projects not to exceed the total funds received from these companies; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Zeliff -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
P. Battaglia -	N/A (Video Conference. Not officially in attendance.)		

The item was approved as presented.

6.3 CRA NYPA Agreement – Included with the meeting materials was a First Amendment to a Cost Reimbursement Agreement (CRA) with NYPA for the review of the design and engineering for the substation at the STAMP site.

Fund commitment: Additional \$500,000 included in the \$56 million.

Committee action request: Recommend approval to sign CRA for an additional \$500,000.

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P. Zeliff noted that the memo included in the meeting materials incorrectly reflects the agreement, it is not \$250,000. The correct amount is \$500,000.

This was recommended for approval by the committee.

P. Zeliff made a motion to approve the Cost Reimbursement Agreement with NYPA not to exceed \$500,000; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zeliff -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
P. Battaglia -	N/A (Video Conference. Not officially in attendance.)		

The item was approved as presented.

6.4 PSA – Stream US Data Centers – Included with the meeting materials was a proposed Purchase and Sale Agreement with Stream U.S. Data Centers for 60 acres at \$300K/acre at the STAMP site. There are provisions in this agreement for payment regarding the megawatt usage at the substation along with a deed restriction on the number of megawatts they can utilize. Legal counsel for Stream U.S. Data Centers has not reviewed this yet. If there are any financial changes or terms that affect the payments then the agreement needs to be brought back to the STAMP Committee for approval.

The following is noted in the PSA:

- The purchaser will reimburse seller up to \$2,500 for survey map.
- The purchaser shall pay sellers' attorney fees, not to exceed \$25,000.
- The purchaser will make a \$1,800,000 refundable deposit held in escrow. Non refundable if the closing fails due to default of purchaser.

This was recommended for approval by the committee.

Resolution No. 03/2025 - 03

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") AUTHORIZING THE APPOINTMENT OF COUNSEL REGARDING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT, A DEED, AND ANY RELATED DOCUMENTS IN CONNECTION THEREWITH WITH RESPECT TO THE PROJECT PROPOSED BY STREAM U.S. DATA CENTERS, LLC.

P. Zeliff made a motion to approve the PSA for Stream US Data Centers, and the Authorizing Resolution for the Appointment of Counsel related to the PSA as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Zeliff -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
M. Clattenburg -	Yes	M. Gray -	Absent
P. Battaglia -	N/A (Video Conference. Not officially in attendance.)		

The item was approved as presented.

7.0 Employment & Compensation – M. Gray

7.1 Contract Employees – Merit / COLA – P. Zeliff stated that evaluations have been completed. A Merit / COLA adjustment of 5% for contract employees was proposed by the Employment and Compensation Committee coming out of executive session.

P. Zeliff made a motion to approve a 5% Merit /COLA Adjustment for contract employees; the motion was seconded by K. Manne. Roll call resulted as follows:

P. Zeliff -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
M. Clattenburg –	Yes	M. Gray -	Absent
P. Battaglia -	N/A (Video Conference. Not officially in attendance.)		

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, C. Yunker made a motion to adjourn at 4:32 p.m., which was seconded by K. Manne and passed unanimously.