



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

GCEDC MINUTES

Attendance

Board Members: C. Kemp, P. Battaglia, C. Yunker, K. Manne, P. Zelif, M. Clattenburg, M. Gray
Staff: M. Masse, K. Galdun, P. Kennett, J. Krencik, L. Farrell
Guests: B. Cudding (Cypress Creek Renewables), C. Zinni (City of Batavia Resident), M. Fitzgerald (Phillips Lytle – Video Conference), R. Gaenzle (Harris Beach – Video Conference), D. Cunningham (GGLDC Board Member), G. Torrey (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), M. Brooks (GGLDC Board Member), K. Loewke (Loewke Brill – Video Conference)

1.0 Call to Order

P. Zelif called the meeting to order at 4:01 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.
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.

The motion was seconded by M. Gray and approved by all members present.

B. Cudding left the meeting during executive session.

M. Brooks joined the meeting at 4:05 p.m.

1.2 Enter Public Session

P. Battaglia made a motion to enter back into public session at 4:23 p.m., seconded by M. Gray and approved by all members present.

B. Cudding rejoined the meeting at 4:24 p.m.

K. Loewke joined the meeting at 4:24 p.m.

C. Zinni joined the meeting at 4:25 p.m.

2.0 Chairman's Report & Activities

2.1 Upcoming Meetings:

Next Scheduled Board Meeting: Thursday, October 2nd at 4:00 p.m.

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

STAMP Committee Meeting: Wednesday, October 1st at 8:00 a.m.

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

2.3 Minutes: August 7, 2025

P. Battaglia made a motion to accept the August 7, 2025 minutes as presented; the motion was seconded by K. Manne. Roll call resulted as follows:

P. Battaglia -	Yes	P. Zelff –	Yes
K. Manne -	Yes	C. Yunker -	Yes
M. Clattenburg –	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

3.0 Report of Management

3.1 Mega Properties - Final Resolution – Mega Properties, Inc. is seeking to build a 165,000 square foot distribution center at the Gateway II Corporate Park in the town of Batavia.

The \$11,096,000 project proposes 28 new, full-time equivalent (FTE) positions.

The project is requesting assistance from the GCEDC with a sales tax exemption estimated at \$523,328, a mortgage tax exemption estimated at \$80,000 and a property tax abatement estimated at \$1,504,602 based on the incremental increase in assessed value via a new traditional 10-year PILOT.

3.1a UTEP – 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. The Board concurred with the UTEP.

A public hearing was held on August 28, 2025. There was no public comment at this time.

3.1b Final Resolution -

Resolution No. 09/2025 - 01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i)
ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON AUGUST 28,
2025, WITH RESPECT TO THE MEGA PROPERTIES, INC. (THE "COMPANY") PROJECT

(THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) 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, AND EQUIPPING OF THE PROJECT, (B) A PARTIAL REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT AND (C) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION AS AUTHORIZED BY THE LAWS OF NEW YORK STATE; AND (v) 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 approve the Final Resolution #09/2025-01, authorizing the incentives for Mega Properties as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes	P. Zelif -	Yes
K. Manne -	Yes	C. Yunker -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

3.2 SmartDesign – Final Resolution – smartDESIGN Architecture, PLLC is planning to renovate a vacant building at 4 Mix Place in the City of Batavia that will serve as the headquarters for the firm’s professional services.

The \$480,000 project will renovate a local historic landmark that has not been occupied for several years. The renovation and the use of the building for an office providing professional services were previously approved by the City of Batavia.

In addition, the company and its 12 FTE’s were displaced by the recent closure of its Harvester Center facility by the property’s owner.

The project is requesting assistance from the GCEDC with a sales tax exemption estimated at \$25,600, mortgage tax exemption \$4,000 and a property tax abatement estimated at \$79,888 based on the incremental increase in assessed value via a new traditional 10-year PILOT.

3.2a UTEP - 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. The Board concurred with the UTEP.

A public hearing was held on August 5, 2025. There was no public comment at this time.

Project confirmation was received from Genesee County, pursuant to General Municipal Law Section 862(2)(c).

3.2b Final Resolution –

Resolution No. 09/2025 - 02

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON AUGUST 5, 2025, WITH RESPECT TO THE SMARTDESIGN ARCHITECTURE PLLC (THE "COMPANY") PROJECT (THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) 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, AND EQUIPPING OF THE PROJECT, (B) A PARTIAL REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT, AND (C) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION AS AUTHORIZED BY THE LAWS OF THE STATE OF NEW YORK; (v) 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 AND (vi) AUTHORIZING AN ASSIGNMENT REQUEST RECEIVED FROM THE COMPANY IN CONNECTION WITH THE PROJECT.

P. Battaglia made a motion to approve the Final Resolution #09/2025-02, authorizing the incentives for SmartDesign as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes	P. Zeliff –	Yes
K. Manne -	Yes	C. Yunker -	Yes
M. Clattenburg –	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

3.3 Leatherleaf Solar – Authorizing Resolution - M. Masse stated that the entity that has the PILOT is not going to change, it’s the outstanding membership units that the PILOT is in that’s being transferred.

Resolution No. 09/2025 - 03

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY d/b/a GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE “AGENCY”) (i) AUTHORIZING AN ASSIGNMENT REQUEST RECEIVED FROM LEATHERLEAF SOLAR, LLC (THE “COMPANY”) IN CONNECTION WITH A CERTAIN PROJECT TO BE UNDERTAKEN BY THE AGNECY AND THE COMPANY; AND (ii) AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS WITH RESPECT TO SAME.

C. Yunker made a motion to approve the Authorizing Resolution #09/2025-03 as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	P. Zeff -	Yes
K. Manne -	Yes	C. Yunker -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

B. Cudding left the meeting at 4:28 p.m.

3.4 Market Labor Update – K. Loewke of Loewke Brill Consulting provided the Board with an update on the status of the local labor force, as previously requested. He reported that after reaching out to local companies all over Western New York, the overall labor market has been very challenging, with union halls largely empty due to the number of major construction projects currently underway across the region. This high demand has created significant competition for available workers, leading to increased reliance on labor waiver requests to meet project needs.

3.5 Atlas Copco – Local Labor Waiver Request – K. Loewke of Loewke Brill Consulting reviewed a local labor waiver request submitted for the Atlas Copco project. He explained that the request pertained to a specialty contractor for wall coverings involving complex designs, which go beyond standard painting services. The job had been put out to market, and based on the responses received, he felt the contractor had done their due diligence in seeking local labor before submitting the waiver.

P. Zeff questioned the need for the waiver if they were still going to be above the required amount of 90%, and M. Masse stated that this is the process for being able to utilize someone from out of the area because, until the project is done the local labor participation is unknown.

C. Yunker made a motion to approve the Local Labor Waiver Request for Atlas Copco as presented; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Battaglia -	Yes	P. Zeff -	Yes
K. Manne -	Yes	C. Yunker -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

3.6 Countryside Apartments – Local Labor Waiver Request – K. Loewke of Loewke Brill Consulting reviewed a local labor waiver request for the Countryside Apartments project. He explained that the request involved the installation of gyp-crete floor material underlayment, a specialized service performed by only two companies in Western New York that focus exclusively on this type of work. While there are contractors within the region who are capable of completing the work, they typically only take on such projects when included as part of larger construction contracts. K. Loewke noted that gyp-crete underlayment is a commonly used material in multi-family developments, which further limits the number of qualified contractors available for this specific scope of work.

P. Battaglia made a motion to approve the Local Labor Waiver Request for Countryside Apartments as presented; the motion was seconded by K. Manne. Roll call resulted as follows:

P. Battaglia -	Yes	P. Zelif -	Yes
K. Manne -	Yes	C. Yunker -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

K. Loewke left the meeting at 4:36 p.m.

3.7 Public Outreach Update – As per prior discussions, J. Krencik wanted to provide everyone an update on the ongoing outreach efforts.

- 1) Received the physical copies of the career roadmap pamphlet and he has been distributing them to the Career Center, GCC, GLOW With Your Hands, and set out during C. Suozzi's Game Day Show with WBTA at local high schools.
- 2) Flyers were shared with the Town of Alabama on the Edwards project. One of them points out employment opportunities and the other is a general update flyer which offers prospective on happenings of the company and what they do to keep the community informed.
- 3) Upcoming meeting with the Town of Oakfield and the mayor to discuss the WWTP.

4.0 Audit & Finance Committee

K. Manne stated that the next three agenda items would be presented together and voted on as one vote.

4.1 May 2025 Financial Statements – L. Farrell reviewed the significant items of the May 2025 financial statements.

- Balances for May were similar to April.
- Accounts payable increased by approximately \$60,000.
- Interest was earned on the imprest cash accounts which is then turned over to Empire State Development; this is recorded as a payable.
- Accrued expenses doubled for the NYS Retirement monthly accrual.
- Profit and Loss statement is where anticipated with expenditures. We are over budget for professional services but there is setting off revenue recorded as other revenue for legal fees related to the data center reviews that are covered by the companies.

P. Battaglia asked if there was a reason the expense isn't offset and L. Farrell responded that non-profits and government must record it that way.

4.2 June 2025 Financial Statements – L. Farrell reviewed the significant items of the June 2025 financial statements.

- Decrease in restricted cash for \$2M in GURFs approved in June and paid the corresponding expenses related to STAMP development.
- The Profit and Loss statement shows \$2.2M of Empire State Development grant revenue recorded due to the GURFs.
- Otherwise, normal monthly activity for June.

4.3 July 2025 Financial Statements – L. Farrell reviewed the significant items of the July 2025 financial statements.

- Similar activity as June with a decrease in restricted cash.
- Accounts payable increased due to the interest payable to Empire State Development.
- Normal monthly activity on the profit and loss statement.

K. Manne made a collective motion to approve the May 2025, June 2025, and July 2025 Financial Statements as presented; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Battaglia -	Yes	P. Zeff -	Yes
K. Manne -	Yes	C. Yunker -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.4 2026 GCEDC Budget – The Board materials include a PowerPoint presentation that summarizes the significant assumptions that were made in the 2026 budget. The County funding request for 2026 remains the same as the past few years. The enhanced funding of \$25,000 from the County for Workforce Development initiatives was also included in the budget.

L. Farrell stated that there were two Audit & Finance Committee meetings held to go over the budget in detail.

The 2026 GCEDC Budget was reviewed in detail by the Committee and is recommended for approval.

K. Manne made a motion to approve the 2026 GCEDC Budget as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	P. Zeff -	Yes
K. Manne -	Yes	C. Yunker -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

5.0 Governance & Nominating Committee – C. Yunker

5.1 GGLDC Board Member Appointments –The Governance and Nominating Committee would like to recommend to the full Board that P. Battaglia and M. Brooks serve another 6-year term for the GGLDC Board ending 6/30/31 retroactive to their term end date (6/30/25).

This item was reviewed by the Committee and recommended for approval.

C. Yunker made a motion to approve P. Battaglia and M. Brooks each serving another 6-year term for the GGLDC Board ending 6/30/31, retroactive to their term end date; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes	P. Zeff -	Yes
----------------	-----	-----------	-----

K. Manne -	Yes	C. Yunker -	Yes
M. Clattenburg –	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

C. Yunker reported that two potential community solar projects, previously tabled, had been referred to the Committee for further discussion. The Committee has reviewed whether policy should be updated regarding the use of farmland for future solar development.

P. Zelif noted that the County Legislature had also discussed this issue, emphasizing the importance of farmland preservation rather than opposition to solar projects. He stated that approximately 10,000 acres in Genesee County have already been converted to solar use and, with agriculture being the county's largest industry, it is critical for the GCEDC to align with the Legislature's position on supporting agricultural preservation.

C. Yunker added that the two solar projects will be brought forward for a vote at the October meeting.

M. Clattenburg expressed that there is unanimous concern within the county regarding the preservation of agriculture, and reiterated that the Legislature's position is to not support any further solar development in Genesee County.

M. Masse stated that, in looking at numbers, Genesee County has 882 mega watts of solar production under construction or in place, while other counties across the state are around 100-200 mega watts. He agrees that Genesee County has done their part for renewable energy.

6.0 STAMP Committee – P. Zelif

6.1 Cost Reimbursement Agreement (CRA) NextEra – Included in the meeting materials is a New Load Cost Reimbursement Agreement (CRA) with Nextera Energy Transmission Investments, LLC for the remote end coordination and relay settings at Dysinger Station.

Fund Commitment: \$200,000 included in the \$56 million.

Board Action Request: Recommendation to approve signing the CRA for \$200,000.

This item was reviewed by the Committee and is recommended for approval.

P. Zelif made a motion to approve the Cost Reimbursement Agreement with NextEra for \$200,000 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	P. Zelif –	Yes
K. Manne -	Yes	C. Yunker -	Yes
M. Clattenburg –	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

6.2 Rescission of Final Resolution and Consistency Determination Concerning Project Double Reed – A letter was received from the project applicant stating they did not want to move forward with this project as proposed, but that they want to increase the size. The project that was previously approved by the board is moot and this resolution rescinds the SEQR and incentives the board approved in March of 2025.

Fund Commitment: None.

Board Action Request: Recommend approval of a resolution to rescind the final resolution and consistency determination for project Double Reed.

This item was reviewed by the Committee and is recommended for approval .

P. Zelif made a motion to approve a resolution to rescind the Final Resolution and Consistency Determination Concerning Project Double Reed as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	P. Zelif –	Yes
K. Manne -	Yes	C. Yunker -	Yes
M. Clattenburg –	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

6.3 Amendment to General Services Agreement – CC Environment and Planning – In September of 2024 the GCEDC approved an amendment to the contract with CC Environment and Planning for the scope of work as listed in the attachments.

As we have progressed with construction work at STAMP in an effort to ensure that all work is being performed in sensitive environmental areas as well as any work related to DEC and USACE issued permits should have weekly inspections from CC Environment and Planning.

They are seeking an amendment to the agreement to cover the remainder of the costs associated with this scope of work. This task would be billed hourly based on their time related to the active construction work.

Fund commitment: \$10,000 for Task A to be covered under the \$56 million.

Board Action Request: Recommendation to approve the proposal for CC Environment and Planning.

This item was reviewed by the Committee and is recommended for approval .

P. Zelif made a motion to approve the proposal for CC Environment and Planning not to exceed \$10,000 as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	P. Zelif –	Yes
K. Manne -	Yes	C. Yunker -	Yes
M. Clattenburg –	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

6.4 Cost Reimbursement Agreement – NYPA – The GCEDC has previously signed 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 \$250,000 included in the \$56 million.

Board Action Request: Recommendation to approve the CRA for an additional \$250,000.

This item was reviewed by the Committee and is recommended for approval.

P. Zelif made a motion to approve the Cost Reimbursement Agreement with NYPA for an additional \$250,000 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	P. Zelif –	Yes
K. Manne -	Yes	C. Yunker -	Yes
M. Clattenburg –	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

7.0 Employment & Compensation – M. Gray

7.1 Nothing at this time

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, P. Battaglia made a motion to adjourn at 4:51 p.m., which was seconded by C. Yunker and passed unanimously.