DRAFT

GCEDC Board Meeting
Thursday, September 3, 2026
Location: 99 MedTech Drive, Innovation Room
4:00 PM

GCEDC MINUTES

Attendance

Board Members:	C. Yunker, K. Manne, P. Battaglia, C. Kemp, P. Zeliff, M. Gray
Staff:	M. Masse, L. Farrell, K. Galdun, C. Suozzi, J. Krencik, P. Heimlich
Guests:	D. Cunningham (GGLDC Board Member), M. Brooks (GGLDC Board Member), S. Maier (Harris Beach Murtha), M. Fitzgerald (Phillips Lytle), J. Tretter (GGLDC Board Member), B. Quinn (The Batavian), R. Crossen (Town of Alabama Supervisor), R. Gaenzle (Harris Beach Murtha), M. Zickl (Community Member)
Absent:	L. Mancuso

1.0 Call to Order

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

All guests, excluding GGLDC Board members, legal counsel, and R. Crossen, left the meeting at 4:00 p.m.

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 4:00 p.m. for the following reasons:

1. Discussions regarding proposed, pending, or current litigation.

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

1.2 Enter Public Session

C. Kemp made a motion to enter back into public session at 4:22 p.m., seconded by M. Gray and approved by all members present.

Guests returned to the meeting at 4:22 p.m.

2.0 Chairman's Report & Activities

2.1 Upcoming Meetings:

Next Scheduled Board Meeting: Thursday, October 1st at 4:00 p.m.
Audit & Finance Committee Meeting: Tuesday, September 29th at 8:30 a.m.
STAMP Committee Meeting: Wednesday, September 30th at 8:00 a.m.

2.2 Agenda Additions / Deletions / Other Business –

C. Yunker made a motion to table item 5.1 GGLDC Board Member Appointment; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Zeliff -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
L. Mancuso -	Absent	M. Gray -	Yes
P. Battaglia -	Yes		

The item was tabled.

2.3 Minutes: August 6, 2026

K. Manne made a motion to accept the August 6, 2026 minutes as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Zeliff -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
L. Mancuso -	Absent	M. Gray -	Yes
P. Battaglia -	Yes		

The item was approved as presented.

<u>3.0 Report of Management</u>

3.1 Public Outreach Update:

1. <u>Pre-Apprenticeships</u> – The GCEDC and GGLDC's support for the Genesee Valley Pre-Apprenticeship Program's annual six-week welding and mechatronics programs led to 10 students completing pre-apprenticeships in August with several students continuing on with their companies.

2. <u>Edwards Vacuum</u> – As Edwards Vacuum ramps up production and hiring, the GCEDC is featuring a series of interviews with Edwards Vacuum leaders to local and business audiences on social media.

   Filmed alongside a WIVB-TV feature on Anthony Cercone, a manufacturing engineer at Edwards Vacuum, the videos are the latest partnership of the GCEDC to support the messaging of the companies growing in Genesee County.

3. <u>Tech Hub Outreach</u> – In August, the GCEDC and our peers at the Wyoming County IDA hosted a regional meeting of the NY SMART I-Corridor Tech Hub for Genesee and Wyoming County businesses and workforce leaders at the MedTech Centre.

   The session provided participants with understanding of new opportunities in the semiconductor supply chain and guidance on technical assistance programs.

4. Youth Engagement – The GCEDC is partnering with WBTA on the second season of High School Gameday. The program is scheduled for later this month and October.

   Last season provided a new opportunity to promote students participating in career & technical education programs at Genesee Valley BOCES and share information about upcoming training programs with students and parents.

4.0 Audit & Finance Committee

4.1 July 2026 Financial Statements – L. Farrell reviewed the significant items of the July 2026 financial statements.

- Restricted cash decreased by $3.2M due to the submission of a GURF for utilizing FAST NY grant funds from ESD toward STAMP development.
- Unearned revenue decreased by the same amount as qualifying expenditures were made and the correlating grant revenue was recorded on the Profit & Loss Statement.
- Expenditures are in line with where they are anticipated to be; otherwise mostly normal activity for the month.

This was recommended by Committee for approval.

K. Manne made a motion to approve the July 2026 Financial Statements as presented; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Zeliff -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
L. Mancuso -	Absent	M. Gray -	Yes
P. Battaglia -	Yes		

The item was approved as presented.

4.2 2027 GCEDC Budget – The Board materials include a PowerPoint presentation that summarizes the significant assumptions that were made in the 2027 budget. The County funding request for 2027 remains the same as the past few years. 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 2027 GCEDC Budget was reviewed in detail by the Committee and is recommended for approval.

K. Manne made a motion to approve the 2027 Budget as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zeliff -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
L. Mancuso -	Absent	M. Gray -	Yes
P. Battaglia -	Yes		

The item was approved as presented.

4.3 Bellwether Advisors, LLC Consulting Contract Extension – The GCEDC currently maintains an agreement with Bellwether Advisors, LLC, to assist with information requested by New York State related to completion of the $56 million grant and associated MWBE requirements. The original contract with Bellwether Advisors, LLC, which was approved in 2024, included a not-to-exceed amount of $5,000. This was intended to evaluate the firm's services, as this type of service had not been utilized previously. Based on satisfactory performance and progress, the board approved an additional not-to-exceed amount of $15,000 in January 2026 to continue these services. An additional not-to-exceed amount of $5,000 was approved in May 2026.

A draft waiver request has been submitted to ESD/NYS staff for review. We should be able to submit the final waiver request very soon. Additional services from Bellwether Advisors, LLC will be necessary to finalize and submit the request, along with potential for follow-up inquiries and revisions from ESD/NYS. To ensure successful completion of the waiver process and provide for any necessary post-submission support, staff is requesting an additional not-to-exceed amount of $5,000. Staff would like the flexibility to consult with Bellwether on other MWBE matters through year-end.

Fund Commitment: $5,000 – Professional Services budget.

Action Requested: Recommend approval of an additional not-to-exceed amount of $5,000 for services provided by Bellwether Advisors, LLC.

This was recommended by the Committee for approval.

K. Manne made a motion to approve the additional not-to-exceed amount of $5,000 for services provided by Bellwether Advisors, LLC as presented; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Zeliff -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
L. Mancuso -	Absent	M. Gray -	Yes
P. Battaglia -	Yes		

The item was approved as presented.

<u>5.0 Governance & Nominating Committee – C. Yunker</u>

5.1 GGLDC Board Member Appointment – This item was tabled under section 2.2 of the agenda.

<u>6.0 STAMP Committee – P. Zeliff</u>

6.1 SEQR Update – The same discussion that took place at the STAMP Committee meeting and is copied here for ease of reference.

M. Masse updated the Committee on the SEQR process for the STREAM US Data Centers project. He stated that draft versions of the public comment summaries and responses, as well as the proposed SEQR resolution and memorandum, have been received. These materials will be posted to the website, along with an additional geotechnical memorandum prepared in response to inquiries and concerns regarding this area.

Following further discussion regarding the geotechnical memorandum, M. Masse stated that a wetland delineation had also been submitted to the DEC, despite their disagreement with the requirement to do so, and has been posted to the website. He stated that they are confident the concerns raised have been adequately addressed in a manner that minimizes potential environmental impacts. M. Masse continued by reviewing several additional concerns and the measures being taken to address them.

In closing, M. Masse stated that he would continue working with STREAM to finalize the site plan and other project details, after which the project would be brought forward for approval.

6.2 Topsoil Request – Lamb Farms is working on completing a bunk expansion at their heifer farm and needs 3,400 cubic yards of topsoil and asked if the GCEDC could provide them with that from the stockpile at the STAMP site. They need some topsoil for the vegetation treatment area.

They are aware of the permitting restrictions regarding soil relocation, but wanted to note that they hold a SPDES permit for this construction.

Fund Commitment: None.

Board Action Request: Approval of allowing Lamb Farms to utilize 3,400 cubic yards of topsoil for their project.

This was recommended by the Committee for approval.

P. Zeliff made a motion to approve allowing Lamb Farms to utilize 3,400 cubic yards of topsoil 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
L. Mancuso -	Absent	M. Gray -	Yes
P. Battaglia -	Yes		

The item was approved as presented.

6.3 Moving of Force Main Pipe and Appurtances – The GCEDC owns pipe and appurtances that were to be used in the force main to Orleans County. That material is currently being stored at a lot that Highlander Construction is renting. We are looking to move the pipe to a storage lot at the Ag Park. The original quote included in their contract was to move it to STAMP.

Fund Commitment: $24,580.64

Board Action Request: Approval of the proposal.

This was recommended by the Committee for approval, subject to the removal of the $6,650 miscellaneous line item.

P. Zeliff made a motion to approve the proposal with Highlander Construction subject to the removal of the $6,650 miscellaneous charge as presented; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Zeliff -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
L. Mancuso -	Absent	M. Gray -	Yes
P. Battaglia -	Yes		

The item was approved as presented.

6.4 Phillips Lytle as Special Counsel – At the August 6th board meeting, the board approved the engagement of Phillips Lytle as Special Counsel in connection with the recent litigation filed by the Sierra Club, the Tonawanda Seneca Nation, and Leeann Mullen with an initial authorization not to exceed $10,000. Since that meeting, the GCEDC has been formally served with the litigation.

GCEDC's D&O insurance carrier has denied coverage. Phillips Lytle has responded with an appeal and we are currently awaiting the carrier's response.

Staff recommends that the board discuss and approve of one of the following options. Both options include the initial $10,000 previously authorized:

1.) Approve a total authorization of up to $75,000 for legal expenses to cover the insurance deductible, or

2.) Approve a total authorization of up to $120,000 for legal expenses should GCEDC proceed without insurance coverage.

This was recommended by the Committee for approval.

P. Zeliff made a motion to approve appointing Phillips Lytle as Special Counsel, for the current litigation and approve funds to be expended up to $120,000 in the event the GCEDC must proceed without insurance coverage as presented; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Zeliff -	Yes	C. Yunker -	Yes
K. Manne -	Yes	C. Kemp -	Yes
L. Mancuso -	Absent	M. Gray -	Yes
P. Battaglia -	Yes		

The item was approved as presented.

7.0 <u>Employment & Compensation – M. Gray</u>

7.1 Nothing at this time.

8.0 <u>Housing Committee – P. Battaglia</u>

8.1 Nothing at this time

9.0 <u>Other Business</u>

9.1 Nothing at this time.

10.0 <u>Adjournment</u>

As there was no further business, M. Gray made a motion to adjourn at 4:33 p.m., which was seconded by K. Manne and passed unanimously.