



GCEDC STAMP Committee Meeting

Wednesday, March 2, 2022

Location: Electronically

8:00 a.m.

MINUTES

ATTENDANCE

Committee Members:

P. Zelif, M. Clattenburg, C. Kemp, C. Yunker

Staff:

M. Masse, J. Krencik, S. Hyde, C. Suozzi, L. Casey, L. Farrell

Guests:

R. Crossen (Town of Alabama Supervisor), A. Walters (Phillips Lytle)

Absent:

1. Call to Order / Enter Public Session

P. Zelif called the meeting to order at 8:10 a.m. via conference call / video conference.

Governor Kathy Hochul signed legislation (S.50001 / A.40001) on September 2, 2021 extending virtual access to public meetings under NYS's Open Meetings Law, which allows virtual participation in local government meetings during the COVID-19 pandemic. This meeting is being held electronically via conference call / video conference instead of a public meeting open for the public to attend in person.

1a. Executive Session

C. Yunker made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 8:10 a.m., for the following reasons:

1. 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.
2. Discussions regarding proposed, pending, or current litigation.
3. 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.

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 8:59 a.m., seconded by C. Kemp and approved by all.

2. Chairman's Report & Activities

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

2b. Minutes: January 12, 2022

M. Clattenburg made a motion to approve the January 12, 2022 minutes; the motion was seconded by C. Yunker. Roll call resulted as follows:

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

The item was approved as presented.

3. Discussions / Official Recommendations to the Board:

3a. ROW Easement Payment Approval- In conjunction with the installation of the force main from the STAMP site to the direct discharge point at Oak Orchard Creek, there are several easements needed. Based on a compensation model the following payments are needed for two easements:

1. Temporary Easement 1 - \$500
2. Temporary Easement 2 - \$500

The GCEDC has also been informed that 5 more easement holders have agreed to sign but we have not received the paperwork yet. The GCEDC is seeking approval of the following easements and amounts contingent upon receiving all necessary signed documentation from ROW Professionals, LLC:

1. Permanent Easement 4 - \$1,000
2. Temporary Easement 7 - \$500
3. Temporary Easement 8 - \$500
4. Temporary Easement 9 - \$500
5. Temporary Easement 10 - \$500

Fund Commitment: \$4,000 from the \$33 million.

M. Clattenburg made a motion to recommend to the full Board the approval of the ROW Easement Payments not to exceed \$4,000 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

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

The item was approved as presented.

3b. Part 182 Take Permit Proposal - In December and January the GCEDC updated its studies for the endangered and threatened species of winter raptors per the NYSDEC's request. The result of that study showed a few winter raptors at the site and the NYSDEC is determining if the STAMP site would be qualified habitat for those birds. If the NYSDEC takes Jurisdictional Determination over that habitat, the

GCEDC would need to complete a Part 182 incidental take permit to impact that habitat for potential development. CC Environment & Planning has prepared a proposal to complete that process.

Fund Commitment: \$31,050 to be covered under the \$8 million.

C. Yunker made a motion to recommend to the full Board the approval of Part 182 Take Permit Proposal with CC Environment and Planning not to exceed \$31,050 as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

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

The item was approved as presented.

3c. Visualization Services - In conjunction with the March 2021 Letter of Resolution between NYSDEC, SHPO and the GCEDC, any project at STAMP that requires a discharge permit for stormwater from NYSDEC must complete an assessment of potential impacts to the Nation's Territory. This proposal will be to prepare a visual assessment for the construction of the substation. This will include photo simulations along with line-of-sight profiles. This will also include the visual assessment for the GCEDC to apply to the Town of Alabama to increase the height limit of TD-1 from 110 feet to 150 feet.

Fund Commitment: \$8,436 from the \$33 million.

M. Clattenburg made a motion to recommend to the full Board the authorization of the Visualization Services with Saratoga Associates not to exceed \$8,436 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

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

The item was approved as presented.

3d. KTA IA Preparation for Substation - As part of the STAMP development and the neighboring Tonawanda Seneca Nation, in accordance with Section 106 for the wetland permits, the GCEDC is working with the Tonawanda Seneca Nation on an assessment of the TCP potentials as it relates to the criteria for eligibility of listing on the National Historic Register. KTA Preservation Specialists has prepared a proposal to prepare an assessment of any potential impacts to the Nation from the construction of the substation on the STAMP site.

Fund commitment: Not to exceed \$1,440 included in the \$33 million.

C. Yunker made a motion to recommend to the full Board the approval of the KTA Preservation Specialists contract not to exceed \$1,440 for the evaluation of TCP issues as presented; 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.

3e. Limited Water Sampling Program - In conjunction with the NYSDEC's review of the proposed WWTF to be constructed at STAMP, they have identified some items in the waste stream that may require additional treatment above and beyond what has been designed. To determine what level of treatment may, or may not, be required, the GCEDC wants to complete some analysis from the three different potential water sources for STAMP.

Fund Commitment: \$4,200 (\$3,700 plus the \$500 five day turn around) to be covered under the \$33 million.

M. Clattenburg made a motion to recommend to the full Board the approval of the proposal with C & S Companies not to exceed \$4,200 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.

4. Adjournment

As there was no further business, C. Kemp made a motion to adjourn at 9:04 a.m., seconded by M. Clattenburg and passed unanimously.