



GCEDC Governance & Nominating Committee Meeting
Thursday, July 7, 2022
Location: 99 MedTech Drive, Innovation Zone
3:00 p.m.

MINUTES

ATTENDANCE

Committee Members: P. Zeliff, C. Yunker, T. Bender
Staff: S. Hyde, L. Farrell, M. Masse, P. Kennett, L. Casey, J. Krencik
Guests: G. Torrey (GGLDC Board Member)
Absent: M. Gray

1. CALL TO ORDER / ENTER PUBLIC SESSION

C. Yunker called the meeting to order at 3:02 p.m. in the Innovation Zone.

2. CHAIRMAN'S REPORT & ACTIVITIES

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

2b. Minutes: May 31, 2022

P. Zeliff made a motion to approve the May 31, 2022 meeting minutes as presented; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Zeliff -	Yes
M. Gray-	Absent
C. Yunker -	Yes
T. Bender -	Yes

The item was approved as presented.

3. DISCUSSIONS / OFFICIAL RECOMMENDATIONS TO THE BOARD

3a. Pricing Policy – PILOT Transfer – M. Masse presented the current pricing policy to the Committee that states any transfer and/or reassignment of an existing PILOT is subject to an origination fee. With some of the recent projects we have seen there is the possibility of a company transferring a facility immediately after construction, which would trigger a second origination fee. M. Masse asked the Committee if they would like to modify the policy.

Executive Session

T. Bender made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 3:10 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.

The motion was seconded by P. Zeliff and approved by all members present.

Re-Enter Public Session

T. Bender made a motion to enter back into public session at 3:28 p.m., seconded by P. Zeliff and approved by all.

3a. Pricing Policy – PILOT Transfer (Continued) – C. Yunker stated that there are no changes being recommended at this time after a discussion took place in executive session.

3b. Local Labor Monitoring Fee - Loewke Brill Consulting Group assists IDA's with local labor inspection and monitoring services to ensure that any project that builds a facility with a capital investment greater than \$5 million and any solar project in excess of 5 MW is complying with the Local Labor Policy.

The local labor monitoring fee has been brought forward again for review and discussion. The Governance & Nominating Committee is tasked with deciding whether the company or the GCEDC should be responsible for these fees.

Currently, the GCEDC pays for the set-up fee, monthly inspections and reporting not to exceed the construction timeline listed in the application. These monitoring fees are paid out of the project origination fee. The company is responsible for any fees that exceed the timeline listed in the application. The company is also responsible for any waiver requests that get submitted and sent to the Board for consideration.

Staff was previously asked to find out how Erie and Monroe County handle payment of these fees. Staff reported on their findings. Each IDA handles the payment of these fees differently. For one IDA, an estimate is provided upfront, and the fee is held in escrow to pay for these monitoring expenditures. Any funds that are not expended are refunded to the customer. While the other IDA pays for these fees out of the project's origination fee.

The Committee agreed that requiring companies to pay for Loewke Brill's services as part of the application process is the appropriate and cost-effective way to manage this process. An upfront estimate will be provided to the customer as part of the application and the fee will be held in escrow to pay for these monitoring expenditures. Any funds that are not expended will be refunded to the customer. The local labor policy and application will be modified and brought forward for review and approval at the next GCEDC Board meeting. The redlined versions of the application and policy do not need to go through the Governance and Nominating Committee for recommendation.

P. Zeliff -	Yes
M. Gray-	Absent
C. Yunker -	Yes
T. Bender -	Yes

4. ADJOURNMENT

As there was no further business, P. Zeliff made a motion to adjourn at 3:36 p.m., seconded by T. Bender, and passed unanimously.