



GCEDC STAMP Committee Meeting
Wednesday, December 6, 2023
Location: 99 MedTech Drive, Innovation Zone
8:00 a.m.

MINUTES

ATTENDANCE

Committee Members: M. Clattenburg, C. Kemp, C. Yunker
Staff: M. Masse, L. Farrell, L. Casey, P. Kennett, J. Krencik, E. Finch
Guests: R. Crossen (Town of Alabama Supervisor), M. Fitzgerald (Phillips Lytle), M. Landers (Genesee County Manager), P. Battaglia (GCEDC/GGLDC Board Member), M. Gray (GCEDC/GGLDC Board Member)
Absent: P. Zeliff

1. Call to Order / Enter Public Session

C. Yunker called the meeting to order at 8:05 a.m. in the Innovation Zone.

1a. Executive Session

M. Clattenburg made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 8:05 a.m., for the following reasons:

1. Discussions regarding proposed, pending, or current litigation.
2. 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.
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 a public body, but only when publicity would substantially affect the value thereof.

The motion was seconded by C. Kemp and approved by all members present.

P. Battaglia joined the meeting at 8:17 a.m.

M. Gray joined the meeting at 8:28 a.m.

1b. Re-Enter Public Session

M. Clattenburg made a motion to enter back into public session at 8:43 a.m., seconded by C. Kemp and approved by all.

2. Chairman's Report & Activities

2a. Agenda Additions / Deletions/ Other Business –

M. Clattenburg made a motion to add agenda item “3e - Appointment of Phillips Lytle as Special Counsel”; the motion was seconded by C. Yunker. Roll call resulted as follows:

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

Item 3e was added to the agenda.

2b. Minutes: October 4, 2023

M. Clattenburg made a motion to approve the October 4, 2023 minutes; the motion was seconded by C. Kemp. Roll call resulted as follows:

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

The item was approved as presented.

3. Discussions / Official Recommendations to the Board:

3a. NCWD Reimbursement for Easements - In conjunction with the installation of the force main within Niagara County to the Genesee County line, the NCWD may need to secure easements and is looking to pay up to \$500 per easement. This would be outside the scope of the current contract for engineering services and needs Board approval.

Fund Commitment: Up to \$500 per easement from the \$33 million (number of easements to be determined).

Board Action Request: Approval of payment of up to \$500 per easement.

M. Clattenburg made a motion to recommend to the full Board the approval of payment not to exceed \$500 per easement for NCWD Easements as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

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

The item was approved as presented.

3b. Bids for Hedgerow Removal in Accordance with Part 182 Permit - Contractor will remove approximately 325 feet of hedgerow separating the STAMP site from New York State Department of Environmental Conservation's (NYSDEC) John White Wildlife Management Area. The hedgerow is approximately 35 feet wide and is comprised mainly of small trees and shrubs, with some larger trees scattered throughout. All trees and shrubs must be removed, including their stumps, and all material must

be disposed of off-site. After removal is completed, the ground must be graded and de-compacted, as needed, to ensure it is level in preparation for seeding (the contractor is not responsible for seeding).

Bids received from the following:

1. Alleghany Farm Services, LLC \$5,500
2. Spurline Construction \$19,000
3. Wheatville Blacksmith & Tree Declined to bid, cannot meet the insurance requirements

Fund Commitment: \$5,500, from the Part 182 mitigation account.

Board Action Request: Approval of awarding of contract for hedgerow removal in accordance with the NYSDEC issued Part 182 permit to Alleghany Farm Services, LLC not to exceed \$5,500 to be paid out of the Part 182 mitigation account.

M. Clattenburg made a motion to recommend to the full Board the approval of the contract with Alleghany Farm Services, LLC for hedgerow removal in accordance with Part 182 Permit not to exceed \$5,500 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

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

The item was approved as presented.

3c. General Services Agreement with CC Environment & Planning - As the GCEDC continues to work on permitting the STAMP site there are issues that arise in dealing with the DEC. This contract will allow the GCEDC to utilize CC Environment and Planning’s historical knowledge of STAMP as well as their environmental knowledge to move through and respond to any issues/concerns that the DEC may bring up. The scope of work is as follows:

1. General Environmental Services: Includes assistance with on- and off-site design review, permitting, and SEQ; other environmental services, as necessary; and participation in STAMP Technical Team meetings.
2. Force Main Frac-out Monitoring: Conduct required monitoring within the 2024 force main frac out areas in accordance with the monitoring plan approved by USFW.

Fund Commitment: \$49,300 to be covered under the \$33 million.

Committee Action request: Recommend approval to the full Board the proposal for CC Environment and Planning.

C. Kemp made a motion to recommend to the full Board the approval of the General Services Agreement with CC Environment & Planning not to exceed \$49,300 as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Zeff - Absent

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

The item was approved as presented.

3d. GCEDC STAMP e3communications Contract - e3communications, a professional media and public relations firm/consultant, has submitted a proposal for 2024 services related to public relations, sales and marketing content, and social media marketing for the Western New York Science & Technology Advanced Manufacturing Park (STAMP).

In 2023, e3communications supported GCEDC staff with STAMP planning, sales and marketing, and government/stakeholder relations. e3communications also maintains an expanded social media presence to audiences in project development and the greater public.

Fund Commitment: \$24,000 fund commitment. Funding is available and budgeted in the 2024 GCEDC Marketing - Operations budget for the full contract.

Board Action Request: Approval of a contract for services for the Jan. 1, 2024 to Dec. 31, 2024 period at \$24,000 per year.

M. Clattenburg noted that she believed that there were communications this year that were overly cautious and did not serve the Agency well.

C. Kemp made a motion to recommend to the full Board the approval of the GCEDC STAMP e3communications contract not to exceed \$24,000 as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

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

The item was approved as presented.

3e. Appointment of Phillips Lytle as Special Counsel – C. Yunker stated that the Committee recommends that the Board 1) appoints Phillips Lytle as special counsel for the current litigation and 2) approves funds to be expended up to \$10,000 to cover the insurance deductible.

C. Kemp made a motion to recommend to the full Board the approval of Phillips Lytle as special counsel for the current litigation and approve funds to be expended up to \$10,000 to cover the insurance deductible; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

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

The item was approved as presented.

4. Adjournment

As there was no further business, M. Clattenburg made a motion to adjourn at 8:50 a.m., seconded by C. Kemp and passed unanimously.