



GCEDC STAMP Committee Meeting
Wednesday, August 2, 2023
Location: 99 MedTech Drive, Innovation Zone
8:00 a.m.

MINUTES

ATTENDANCE

Committee Members: M. Clattenburg, C. Yunker, P. Zelif, C. Kemp
Staff: M. Masse, L. Farrell, S. Hyde, C. Suozzi, P. Kennett, J. Krencik
Guests: M. Fitzgerald (Phillips Lytle/Video Conference), R. Crossen (Town of Alabama Supervisor), M. Landers (Genesee County Manager)
Absent:

1. Call to Order / Enter Public Session

P. Zelif called the meeting to order at 8:00 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 8:00 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 public body, but only when publicity would substantially affect the value thereof.

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

1b. Re-Enter Public Session

C. Yunker made a motion to enter back into public session at 9:16 a.m., seconded by M. Clattenburg and approved by all.

2. Chairman's Report & Activities

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

2b. Minutes: June 28, 2023

C. Yunker made a motion to approve the June 28, 2023 minutes; 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.

3. Discussions / Official Recommendations to the Board:

3a. Construction Update – M. Masse provided the following construction updates:

- 1) The directional drill project through the Fish & Wildlife Refuge began Monday, 7/31/23. We will receive weekly drilling reports to track the progress of how much has been drilled and how much pipe has been put in. They hit rock at the start but are hoping for improvement as they progress further into the refuge.
- 2) Construction for the Crosby Road Rebuild started Monday, 7/31/23 and should be completed in 5-6 weeks.

3b. Part 182 Issuance & Overview – M. Masse stated that we received the site-wide Part 182 Incidental Take Permit. There are mitigation requirements associated with the issuance of that permit. Sixty years of mitigation, including but not limited to, mowing, spraying and bird surveys for two parcels (33-acre parcel and 25-acre parcel). The GCEDC was able to avoid the issuance of a bond or letter of credit as the County stepped in to be the guarantor if the GCEDC fails. The County would then be responsible for the mitigation.

3c. CC Environment & Planning Part 182 Mitigation Oversight Contract - With the issuance of the site wide Part 182 for the STAMP site, there are obligations the GCEDC has under the permit conditions as it relates to the mitigation. CC Environment & Planning has proposed a contract that they will implement and oversee all aspects of the required monitoring and management of the grassland mitigation at STAMP per the DEC approved mitigation plan and permit conditions.

This scope of this contract will cover the first 15 years of the permit requirements.

Fund Commitment: \$213,112 to be covered under the escrow account established for the Part 182 permit.

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

M. Clattenburg made a motion to recommend to the full Board the approval of the CC Environment & Planning Part 182 Mitigation Oversight Contract not to exceed \$213,112 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

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

The item was approved as presented.

3d. Survey Quotes for Business Park Association - The GCEDC requested bids from three companies for a subdivision boundary survey map which includes the following:

- a. A metes and bounds legal description for all developable property at the STAMP site as highlighted on the attached map.
- b. Separate highlighting or identification of each parcel located the STAMP Site (Plug Power Site, Edwards Vacuum Site, GCEDC Site and NY Green Site) as identified on the attached map including the acreage of each tax lot located within each Site and the record or anticipated owner of each Site. Separate surveys and legal descriptions for the Plug Power Site and the Edwards Vacuum Site are complete and can be provided.
- c. A metes and bounds legal description for the portion of the STAMP Site that will be transferred to NY Green, Inc. as can be discussed on a call.
- d. A metes and bounds legal description for the portion of the STAMP Site that will be retained by GCEDC as highlighted on the attached map as "STAMP Utility area".
- e. A metes and bounds legal description and subdivision map for approximately 33 acres of a mitigation area to be transferred to NYS.

The survey will be used to identify property that will be used in a business park association model, to be able to bill companies based on the acreage they own, for any common charges at the STAMP site.

The results of the bids are as follows:

1. Bid of \$15,000 – Frandina Engineering and Land Surveying
2. Bid of \$17,000 - Welch & O'Donoghue
3. Townsend & Lamendola declined to bid.

Fund Commitment: Not to exceed \$15,000 to Frandina Engineering and Land Surveying for STAMP survey work from \$33 million.

Board Action Request: Approval of survey contract for STAMP.

C. Yunker made a motion to recommend to the full Board the approval of the Frandina Engineering & Land Surveying contract not to exceed \$15,000 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. Access Agreement for Plug Power – As part of their construction of their hydrogen facility, Plug Power would like to utilize the previously constructed marshalling yard directly to the north of their site as an additional construction parking area.

Fund Commitment: None.

Board Action Request: Recommend approval of access agreement.

C. Yunker made a motion to recommend to the full Board the approval of the Access Agreement for Plug Power 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.

4. Adjournment

As there was no further business, M. Clattenburg made a motion to adjourn at 9:25 a.m., seconded by C. Yunker and passed unanimously.