

**Genesee County Economic Development Center
Meeting Agenda**

Thursday, January 11, 2024

Location: 99 MedTech Drive, Innovation Zone

PAGE #

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|-------------|--|---------------|
| 1.0 | Call to Order | 4:00pm |
| | Presentation – MedTech Landing, LLC | 4:00pm |
| | Presentation – S. Eigenbrod – Workforce Development Update | 4:10pm |
| | 1.1 Enter Executive Session | 4:20pm |
| | Motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105 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. | |
| | 2. Discussions regarding proposed, pending or current litigation. | |
| | 1.2 Enter Public Session | 5:05pm |
| 2.0 | Chairperson's Report & Activities | 5:05pm |
| | 2.1 Upcoming Meetings: | |
| | Next Scheduled Board Meeting: Thursday, February 1st at 4 p.m. | |
| | Audit & Finance Committee Meeting: Tuesday, January 30 th at 8:30 a.m. | |
| | STAMP Committee Meeting: Wednesday, January 31 st at 8 a.m. | |
| | Governance & Nominating Committee Meeting: Thursday, February 1 st at 3 p.m. | |
| | 2.2 Agenda Additions / Deletions / Other Business **Vote | |
| | 2.3 Minutes: December 7, 2023 **Vote | |
| 3.0 | Report of Management – | 5:10pm |
| | 3.1 MedTech Landing, LLC – Initial Resolution **Vote – C. Suozzi | |
| 4.0 | Audit & Finance Committee – K. Manne | 5:15pm |
| | 4.1 November 2023 Financial Statements **Vote | |
| | 4.2 2024 County Funding Contract **Vote | |
| | 4.3 ECIDA Shared Services Contract **Vote | |
| 5.0 | Governance & Nominating Committee – C. Yunker | 5:20pm |
| | 5.1 Nothing at this time. | |
| 6.0 | STAMP Committee – P. Zeliff | 5:20pm |
| | 6.1 Nothing at this time. | |
| 7.0 | Employment & Compensation Committee – M. Gray | 5:20pm |
| | 7.1 Nothing at this time. | |
| 8.0 | Housing Committee – P. Battaglia | 5:20pm |
| | 8.1 Nothing at this time. | |
| 9.0 | Other Business | 5:20pm |
| | 9.1 Nothing at this time. | |
| 10.0 | Adjournment | 5:20pm |

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GCEDC Board Meeting
Thursday, December 7, 2023
Location: 99 MedTech Drive, Innovation Room
4:00 PM

GCEDC MINUTES

Attendance

Board Members: M. Gray, C. Kemp, K. Manne, C. Yunker, M. Clattenburg, P. Battaglia, P. Zeliff
(Video Conference during Executive Session)

Staff: M. Masse, S. Hyde, L. Farrell, L. Casey, J. Krencik, E. Finch, C. Suozzi

Guests: R. Gaenzle (Harris Beach), Stephen Maier (Harris Beach), M. Brooks (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), G. Torrey (GGLDC Board Member), M. Fitzgerald (Phillips Lytle), R. Crossen (Town of Alabama Supervisor), D. Cunningham (GGLDC Board Member), J. Tretter (GGLDC Board Member), David Ciurzynski (Ciurzynski Consulting, LLC)

Absent:

1.0 Call to Order

M. Gray called the meeting to order at 4:00 p.m. in the Innovation Zone.

Presentation – Graham Corporation – David Ciurzynski attended the meeting to discuss the expansion project for Graham Corporation. The \$13.9 million project consists of a 18,900 sq. ft. expansion for a new commercial production facility intended to reduce design and manufacturing costs and improve ship capabilities for their US defense sector. The project will include a new building as well as new manufacturing equipment to grow Graham Corporation's workforce and production capabilities. The project proposes creating 24 new full-time equivalent (FTE) positions and retain 340 FTEs.

David Ciurzynski left the meeting at 4:05 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 4:05 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.
2. Discussions regarding proposed, pending, or current litigation.

The motion was seconded by K. Manne and approved by all members present.

G. Torrey and M. Fitzgerald joined the meeting at 4:11 p.m. during executive session.

M. Fitzgerald and R. Crossen left the meeting at 4:40 p.m.

P. Zeff left the meeting at 5:11 p.m.

1.2 Enter Public Session

C. Yunker made a motion to enter back into public session at 5:11 p.m., seconded by K. Manne and approved by all members present.

2.0 Chairman’s Report & Activities

2.1 Upcoming Meetings:

Next Scheduled Board Meeting: Thursday, December 21st at 4:00 p.m.

Employment & Compensation Committee Meeting: Thursday, December 21st at 3 p.m.

Audit & Finance Committee Meeting: Tuesday, January 9th at 8:30 a.m.

STAMP Committee Meeting: Wednesday, January 10th at 8:00 a.m.

Board Meeting: Thursday, January 11th at 4:00 p.m.

2024 Meeting Calendar

2.2 Agenda Additions / Deletions / Other Business –

C. Yunker made a motion to add agenda item “6.5 - Appointment of Phillips Lytle as Special Counsel”; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zeff -	Absent
M. Clattenburg –	Yes	M. Gray -	Yes
C. Kemp -	Yes		

Item 6.5 was added to the agenda.

2.3 Minutes: October 26, 2023 –

C. Yunker made a motion to accept the October 26, 2023 minutes as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zeff -	Absent
M. Clattenburg –	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

3.0 Report of Management

3.1 Graham Corporation- Initial Resolution - Graham Corporation is planning to expand its location in the City of Batavia, NY.

The \$13.9 million project consists of a 18,900 sq. ft. expansion for a new commercial production facility intended to reduce design and manufacturing costs and improving ship capabilities for their US defense sector. The project will include a new building as well as new manufacturing equipment to grow Graham Corporation's workforce and production capabilities.

The project proposes creating 24 new full-time equivalent (FTE) positions and retain 340 FTEs.

The project is requesting assistance from the GCEDC with a sale tax exemption estimated at \$206,400 and a property tax abatement estimated at \$197,826 based on the incremental increase in assessed value via a 10-year PILOT.

Resolution No. 12/2023 - 01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF GRAHAM CORPORATION WITH RESPECT TO A CERTAIN PROJECT (THE "PROJECT"), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, AND (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT.

P. Battaglia made a motion to accept Initial Resolution #12/2023-01, authorizing the acceptance of the application and scheduling of a public hearing as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

This item was approved as presented.

3.2 Oak Orchard Solar 3 – Assignment Authorization - In accordance with the terms and conditions of the PILOT agreement the company cannot transfer the PILOT without the approval of the Board of Directors of the GCEDC. The Original Company Parent assigned 100% of its membership interest in the Company to the Purchaser. Therefore, no fee is triggered.

Resolution No. 12/2023 - 02

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY d/b/a GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) AUTHORIZING AN ASSIGNMENT REQUEST RECEIVED FROM OAK ORCHARD SOLAR 3, LLC AND AFFILIATES (THE "COMPANY") IN CONNECTION WITH A CERTAIN PROJECT TO BE UNDERTAKEN BY THE AGENCY AND THE COMPANY; AND (ii) AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS WITH RESPECT TO SAME.

P. Battaglia made a motion to accept Assignment Authorizing Resolution #12/2023-02, authorizing the transfer of the PILOT as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

This item was approved as presented.

4.0 Audit & Finance Committee

4.1 October 2023 Financial Statements – L. Farrell reviewed the October 2023 financial statements with the Board. The following was noted:

- On the balance sheet unrestricted cash increased. We received the Edwards project origination fee. We also closed on the J. Rental land sale and the Edwards land sale.
- Accounts receivable decreased. The quarterly payment for the MedTech Centre Property Management Fee and Economic Development Support Grant from the GGLDC was received.
- Accounts payable increased. Interest earned on funds in the \$33M and \$8M imprest accounts must be remitted to ESD quarterly.
- We received a customer deposit from Edwards related to the Loewke Brill Labor Reporting contract.
- On the P&L, there is the project origination fee from Edwards as well as the land sale proceeds of about \$4.6M and cost of sales related to the above-mentioned land sales.
- Other than the above-mentioned items, there is normal monthly activity.

The financial statements were reviewed in detail by the Committee and are recommended for approval.

K. Manne made a motion to approve the October 2023 Financial Statements as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.2 Insurance Renewal - A comparison of last year's insurance premiums against the renewal costs for 2024 was included with the meeting materials. The total package is about \$72,000 as compared to \$69,000 last year.

Pricing for the umbrella coverage was unknown when the Audit and Finance Committee met. Last year the Agency had \$5M of primary umbrella coverage as well as \$5M of secondary coverage. Since the Committee met, quotes were received. The cost of \$5M of primary umbrella coverage is \$32,719 and \$5M of secondary coverage is \$9,265. The Committee did not want to make a recommendation regarding

umbrella coverage without pricing. Therefore, the Committee only recommended the approval of the 2024 insurance renewal with Selective.

K. Manne made a motion to approve the 2024 insurance renewal with Selective and \$5M of Primary Umbrella Coverage with Merchants and \$5M of Excess Umbrella Coverage with Cincinnati; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zeff -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.3 Bids for survey work for Apple Tree Acres – The GCEDC asked four companies for bids to survey the following:

1. Subdivision boundary survey map which includes the following:
 - a. A metes and bounds legal description for parcel 13.-1-63.1 as highlighted on the attached map to exclude portion listed in item b below.
 - b. A metes and bounds legal description for a proposed future roadway of approximately 68 feet in width extending from the end of parcel 13.-1-61.12 out to Route 19.

The survey will be used to identify property that will be purchased by a company to construct a new manufacturing facility.

The results of the bids are as follows:

1. Bid of \$8,420 – Frandina Engineering and Land Surveying
2. Bid of \$3,500 - Welch & O'Donoghue
3. Townsend & Lamendola declined to bid
4. Sideki Engineering declined to bid

Fund Commitment: Not to exceed \$3,500 to Welch & O'Donoghue for Apple Tree Acres Corporate Park survey work.

Board Action Request: Approval of survey contract for Apple Tree Acres.

M. Masse stated that \$2,500 will be reimbursed by the company for the survey per the terms of the Purchase and Sale Agreement.

This was recommended for approval by the Committee.

K. Manne made a motion to approve the survey contract to Welch & O'Donoghue not to exceed \$3,500 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
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K. Manne - Yes
M. Clattenburg – Yes
C. Kemp - Yes

P. Zelif - Absent
M. Gray - Yes

The item was approved as presented.

4.4 GCEDC e3communications Contract – e3communications, a professional media and public relations firm/consultant, has submitted a proposal for 2024 services related to public relations and social media marketing for the Genesee County Economic Development Center (GCEDC).

In 2023, e3communications supported GCEDC staff with GCEDC 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.

This was recommended for approval by the Committee.

K. Manne made a motion to approve the 2024 GCEDC e3Communications contract not to exceed \$24,000 as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia - Yes
K. Manne - Yes
M. Clattenburg – Yes
C. Kemp - Yes

C. Yunker - Yes
P. Zelif - Absent
M. Gray - Yes

The item was approved as presented.

4.5 Greater Rochester Enterprise Contract –Greater Rochester Enterprise is our non-profit regional economic development organization supported by a team of private and public-sector leaders in the Finger Lakes region to grow the economy in Genesee County and our eastern neighbors.

This funding request supports GRE staff partnerships with the GCEDC's business development, sales and marketing efforts, site development, and talent attraction efforts. The GCEDC also receives an active role on Greater Rochester Enterprise's board of directors.

GRE staff directly enhance the GCEDC's active sales funnel at STAMP and our shovel-ready sites. Notably, GRE has provided critical regional connections that further project due diligence and project implementation, as with Edwards Genesee. GRE's support also enabled the FAST NY program's legislative approval, STAMP's successful FAST NY application, and the designation of our region as a Federal Tech Hub.

Board Request: An investment renewal of \$52,000 to Greater Rochester Enterprise for the 2024 calendar year. This expenditure is covered by available funds in the 2024 GCEDC budget and is at the same cost as in 2023.

The Committee requested additional information regarding the \$52,000 commitment. The agenda item was tabled by the Committee.

Per the Committee’s request, J. Krencik confirmed that the fund commitment to Greater Rochester Enterprise for the 2025 calendar year will return to \$50,000.

K. Manne made a motion to approve the 2024 Greater Rochester Enterprise contract not to exceed \$52,000 as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Absent
M. Clattenburg –	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.6 Invest Buffalo Niagara –Invest Buffalo Niagara (InBN) is our non-profit regional economic development organization supported by a team of private and public-sector leaders in the Western New York region to grow the economy in Genesee County and our western neighbors.

This funding request supports InBN staff partnerships with the GCEDC’s business development, sales and marketing efforts, site development, and talent attraction efforts. The GCEDC also receives an active role on Invest Buffalo Niagara’s board of directors.

InBN staff directly enhance the GCEDC’s active sales funnel at STAMP and our shovel-ready sites. Notably, InBN has provided critical regional connections that further project due diligence and project implementation, as with Edwards Genesee. InBN’s support also enabled the FAST NY program’s legislative approval, STAMP’s successful FAST NY application, and the designation of our region as a Federal Tech Hub.

Board Request: An investment renewal of \$25,000 to Invest Buffalo Niagara for the 2024 calendar year. This expenditure is covered by available funds in the 2024 GCEDC budget and is at the same cost as in 2023.

This was recommended for approval by the Committee.

K. Manne made a motion to approve an investment renewal of \$25,000 to Invest Buffalo Niagara as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Absent
M. Clattenburg –	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.7 360 PSG Contract – The GCEDC is requesting additional services related to the development and launch of a new GCEDC website. A contract with 360 PSG was previously approved by the board at a cost of \$8,050.

In addition to anticipated design task, quality assurance checks, launching, project management time, domain transfer and accessibility started packages for the final implementation of the project, it is

necessary to include a pair of one-time costs related to additional pages for the website and content management system.

Additional Pages: \$110/hour at an estimated 9 hours (\$990 increase in budget)

Content Management System Training: \$110/hour at an estimated time of 1.5 hours (\$165 increase in budget)

Funding Commitment: This expenditure would be covered by unexpended funds in the 2023 marketing budget.

Board Action Request: Approval of a contract not to exceed \$1,500 to 360 PSG.

This was recommended for approval by the Committee.

K. Manne made a motion to approve the 360 PSG Contract not to exceed \$1,500 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.8 Workforce Development Consultant – Included with the meeting materials was a consulting agreement for the period of January 1, 2024 through December 31, 2024. This agreement is between Sheila Eigenbrod and the GCEDC. Services to be provided by Sheila Eigenbrod include the following:

1. Perform consulting services to assist in the development and implementation of workforce development programs and training initiatives relative to the goals of the Company and its affiliates.
2. Consult with the VP of Business Development of the GCEDC and staff relative to the application, development and deployment of its workforce programs.
3. Consult with educational institutions who may serve as partners in the development, implementation and delivery of training programs. Specifically, interface with Genesee Community College and its BEST Center, other institutions of higher learning, the Genesee Valley Educational Partnership and local secondary schools as appropriate.
4. Provide consulting services as requested by the GCEDC / GGLDC.

This contract is not to exceed \$29,800 and was included in the 2024 GCEDC budget. The County increased their funding amount beginning in 2022 by \$25,000 annually to support administration of a workforce development program. These funds will be used for this contract.

This was recommended for approval by the Committee.

K. Manne made a motion to approve the Workforce Development Agreement with Sheila Eigenbrod not to exceed \$29,800 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

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

The item was approved as presented.

5.0 Governance & Nominating Committee – C. Yunker

5.1 Nothing at this time.

6.0 STAMP Committee – P. Zeliff

6.1 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.

Board Action Request: Approval of payment of up to \$500 per easement (number of easements to be determined).

This was recommended for approval by the Committee.

C. Yunker made a motion to approve 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. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zeliff -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

6.2 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.

This was recommended for approval by the Committee.

C. Yunker made a motion to approve 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. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Absent
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

6.3 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 SEQR; 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.

This was recommended for approval by the Committee.

C. Yunker made a motion to approve the General Services Agreement with CC Environment & Planning not to exceed \$49,300 as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia - Yes
K. Manne - Yes
M. Clattenburg – Yes
C. Kemp - Yes

C. Yunker - Yes
P. Zelif - Absent
M. Gray - Yes

The item was approved as presented.

6.4 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.

This was recommended for approval by the Committee.

C. Yunker made a motion to approve the GCEDC STAMP e3communications contract not to exceed \$24,000 as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia - Yes
K. Manne - Yes
M. Clattenburg – Yes
C. Kemp - Yes

C. Yunker - Yes
P. Zelif - Absent
M. Gray - Yes

The item was approved as presented.

6.5 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.

This was recommended for approval by the Committee.

C. Yunker made a motion to appoint 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 C. Kemp. Roll call resulted as follows:

P. Battaglia - Yes

C. Yunker - Yes

K. Manne - Yes
M. Clattenburg – Yes
C. Kemp - Yes

P. Zelif - Absent
M. Gray - Yes

The item was approved as presented.

7.0 Employment & Compensation – M. Gray

7.1 CEO Merit / COLA - M. Gray stated that a thorough evaluation was completed.

This was recommended for approval by the Committee.

M. Gray made a motion to approve a 3.7% CEO COLA Adjustment and a \$2,000 CEO merit increase; the motion was seconded by P. Battaglia. Roll call resulted as follows:

P. Battaglia - Yes
K. Manne - Yes
M. Clattenburg – Yes
C. Kemp - Yes

C. Yunker - Yes
P. Zelif - Absent
M. Gray - Yes

The item was approved as presented

8.0 Housing Committee – P. Battaglia

8.1 Nothing at this time

9.0 Other Business

9.1 Nothing at this time.

10.0 Adjournment

As there was no further business, C. Yunker made a motion to adjourn at 5:35 p.m., which was seconded by C. Kemp and passed unanimously.

may 1/3/24

Customer Information

Potential Customer:	MedTech Landing, LLC	Opportunity Type:	Attraction
Project Street Address:	53 MedTech Drive	Opportunity Product:	Property Sales & Mortgage Recording Taxes Only
City/Town/Village:	//Batavia	Type of Project:	Attraction
Project Description:	MedTech Landing Housing Development	New Jobs:	2
Total Capital Investment:	\$15,000,000	Retained Jobs:	N/A
Incentive Amount:	\$3,871,480	School District:	Byron- Bergen
Benefited Amount:	\$15,000,000	PILOT Applicable:	Pre-project value of land and/or buildings, plus added value of land and/or buildings that results from project improvements (total taxable value)

Project Information

Organization:	GCEDC		
Opportunity Source:	3 rd Party Professional	Date of Public Hearing:	TBD
Initial Acceptance Date:	1/11/2024	Inducement Date:	TBD

Opportunity Summary: MedTech Landing, LLC is proposing to develop 80 units of market-rate housing at 53 MedTech Drive in the town of Batavia.

The \$15 million project would construct seven apartment buildings totaling 100,000 sq. ft. and includes 6 six-car garages. The project anticipates creating two positions (2 FTE).

The project is requesting assistance from the GCEDC with a sales tax exemption estimated at \$720,000, a property tax abatement estimated at \$3,031,048 via a fixed 10% 20-year PILOT (Housing PILOT for 20+ market-rate units), and a mortgage tax exemption estimated at \$120,000.

The project will also contribute \$50,000 per year for 20 years to the new Batavia Home Fund (BHF). The Town of Batavia, the City of Batavia and GCEDC have established this fund to enable housing development support in the city.

This will result in a net savings to the project of \$2,871,480.

The project aligns with the Genesee County Economic Development Center's Housing Policy #1 and a recognized need for housing availability. The Genesee County Housing Needs Assessment identified that 4,800 units are needed in the next 20 years across single-family homes and rental units.

Economic Impact: The fiscal impacts on local benefits totals \$34,480,522. For every \$1 of public benefit the project is generating \$12 into the local economy.

Project Detail (Total Capital Investment)

Building Cost (Construction):	\$14,500,000
Equipment (Taxable) / Other Project Investment:	\$300,000
Land Cost (Real Estate):	\$200,000
Total Capital Investment:	\$15,000,000

Estimated Benefits Provided

Sales Tax Exempt:	\$720,000
Mortgage Tax Exempt:	\$120,000
Property Tax Exempt:	\$3,031,480
Total Estimated Tax Incentives Provided (Net After Batavia Home Fund Contribution):	\$2,871,480

Total Amount Finance: \$12,000,000

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1/5/24

Genesee County Economic Development Center MRB Cost Benefit Calculator



Date: 1.2.24
Project Title: MedTech Landing, LLC
Project Location: Upstate MedTech Park, Batavia, NY

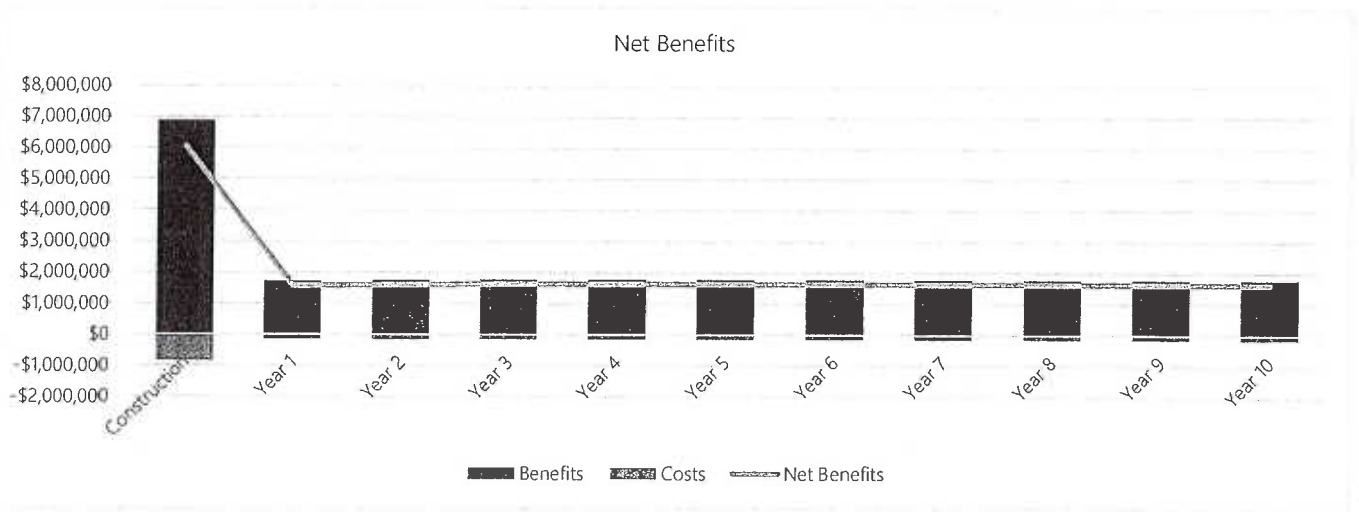
Economic Impacts

Summary of Economic Impacts over the Life of the PILOT
Project Total Investment
\$15,000,000

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	56	17	73
Earnings	\$5,585,822	\$925,168	\$6,510,990
Local Spend	\$14,500,000	\$3,296,083	\$17,796,083

Ongoing (Operations) Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	26	6	33
Earnings	\$25,166,567	\$6,965,717	\$32,132,283

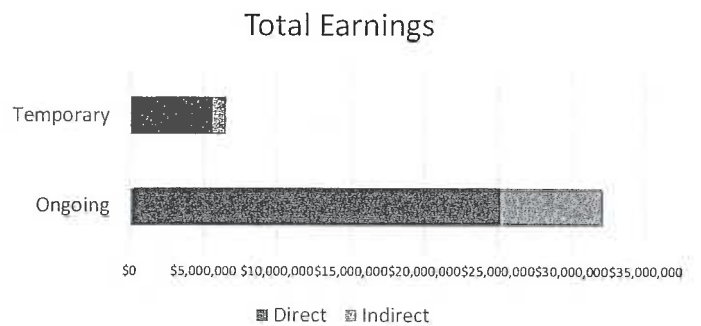
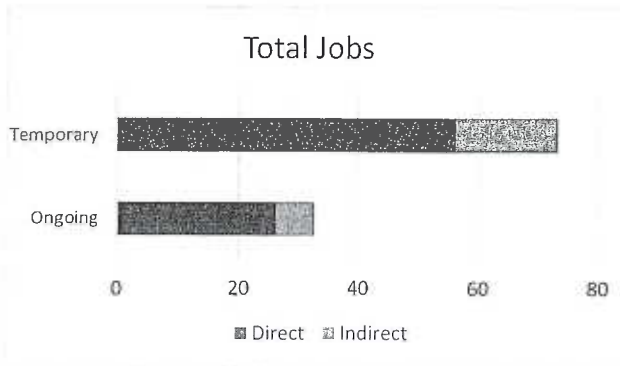
Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3



Fiscal Impacts

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$3,031,480 ✓	\$2,478,452
Sales Tax Exemption	\$720,000 ✓	\$720,000
Local Sales Tax Exemption	\$360,000	\$360,000
State Sales Tax Exemption	\$360,000	\$360,000
Mortgage Recording Tax Exemption	\$120,000 ✓	\$120,000
Local Mortgage Recording Tax Exemption	\$120,000	\$120,000
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$3,871,480 ✓	\$3,318,452

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$40,727,488	\$34,480,522
To Private Individuals	<u>\$38,643,274</u>	<u>\$32,768,213</u>
Temporary Payroll	\$6,510,990	\$6,510,990
Ongoing Payroll	\$32,132,283	\$26,257,223
Other Payments to Private Individuals	\$0	\$0
To the Public	<u>\$2,084,214</u>	<u>\$1,712,309</u>
Increase in Property Tax Revenue	\$354,320	\$289,682
Temporary Jobs - Sales Tax Revenue	\$45,577	\$45,577
Ongoing Jobs - Sales Tax Revenue	\$431,597	\$352,862
Other Local Municipal Revenue	\$1,252,720 ✓	\$1,024,188
State Benefits	\$2,216,122	\$1,873,008
To the Public	<u>\$2,216,122</u>	<u>\$1,873,008</u>
Temporary Income Tax Revenue	\$292,995	\$292,995
Ongoing Income Tax Revenue	\$1,445,953	\$1,181,575
Temporary Jobs - Sales Tax Revenue	\$45,577	\$45,577
Ongoing Jobs - Sales Tax Revenue	\$431,597	\$352,862
Total Benefits to State & Region	\$42,943,609	\$36,353,530

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$34,480,522	\$2,958,452	12:1
State	\$1,873,008	\$360,000	5:1
Grand Total	\$36,353,530	\$3,318,452	11:1

*Discounted at 2%

Additional Comments from IDA

The market rate housing project will enable the Batavia Housing fund via a fixed host agreement for \$50k a year for 20 years. Fire District fees is planned at \$12,636 per year for 20 years. Total \$50,000+\$12,636 = \$62,636

Does the IDA believe that the project can be accomplished in a timely fashion?

Yes

MRB Cost Benefit Calculator

Genesee County Economic Development Center

Date
 Project Title
 Project Location

Construction Phase - Project Assumptions

Project Costs

Project Costs Value

Enter total project costs: ✓

Local Construction Spending ✓

In-region construction spending

Construction Economic Impacts

Industry	NAICS	% of Total Investment	Investment by Type
New Multifamily Building Construction	236116	100%	\$14,500,000
[Not Applicable]	0		\$0
[Not Applicable]	0		\$0
		100%	\$14,500,000

Most projects will only have one line related to construction type.

New Household Spending - Residential and Mixed-Use Projects Only

Unit Types and Household Income Brackets

Unit Type 1

Description

Unit Count ✓

Target Income (HH) ✓

Unit Type 2

Description

Unit Count

Target Income (HH)

% Net New (See Instructions)

Total Units

Total Local Household Spending ✓

Operation Phase - Project Assumptions

Jobs and Earnings from Operations

Year 1 - Enter NAICS	NAICS ^{NAICS Lookup}	Count	Per Job Annual Earnings	Total Earnings
Lessors of Residential Buildings and Dwelling	531110	2	\$52,000	\$104,000
	0			\$0
	0			\$0
	0			\$0
	0			\$0
	0			\$0
Total		2		\$104,000

Year 2	NAICS	Count	Per Job Annual Earnings	Total Earnings
Lessors of Residential Buildings and Dwelling	531110	2	\$52,000	\$104,000
	0			\$0
	0			\$0
	0			\$0
	0			\$0
	0			\$0
Total		2		\$104,000

Year 3+ (Full Employment)	NAICS	Count	Per Job Annual Earnings	Total Earnings
Lessors of Residential Buildings and Dwellin	531110	2	\$52,000	\$104,000
0	0			\$0
0	0			\$0
0	0			\$0
0	0			\$0
0	0			\$0
	Total	2		\$104,000

Fiscal Impact Assumptions

Estimated Costs of Incentives

Sales Tax Exemption	%	Value	PILOT Term (Years)	20
Local Sales Tax Rate	4.00%	\$720,000 ✓	Escalation Factor	0%
State Sales Tax Rate	4.00%	\$360,000	Discount Factor	2%
Mortgage Recording Tax Exemption		\$120,000 ✓		
Local	1.00%	\$120,000		
State	0.00%	\$0		
Total Costs		\$3,871,480	<i>Includes PILOT exemption, calculated below.</i>	

Other Benefits to Public and Private Individuals - If Applicable

Year #	Year	Other Local Municipal Revenue	Other Payments to Private Individuals <input checked="" type="checkbox"/>
1	2024	\$62,636	
2	2025	\$62,636	
3	2026	\$62,636	
4	2027	\$62,636	
5	2028	\$62,636	
6	2029	\$62,636	
7	2030	\$62,636	
8	2031	\$62,636	
9	2032	\$62,636	
10	2033	\$62,636	
11	2034	\$62,636	
12	2035	\$62,636	
13	2036	\$62,636	
14	2037	\$62,636	
15	2038	\$62,636	
16	2039	\$62,636	
17	2040	\$62,636	
18	2041	\$62,636	
19	2042	\$62,636	
20	2043	\$62,636	
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-	-		
Total		\$1,252,720	\$0

Notes
 The market rate housing project will enable the Batavia Housing fund via a fixed host agreement for \$50k a year for 20 years. Fire District fees is planned at \$12,636 per year for 20 years. Total $50,000 + 12,636 = 62,636$.

Does the IDA believe the project can be accomplished in a timely fashion? Yes

man
1/5/24



Project Name: MedTech Landing, LLC

Board Meeting Date: January 11, 2024

STATEMENT OF COMPLIANCE OF PROJECT CRITERIA LISTED IN UNIFORM TAX EXEMPTION POLICY (UTEP)

PROJECT DESCRIPTION:

MedTech Landing, LLC is proposing to develop 80 units of market-rate housing at 53 MedTech Drive in the town of Batavia.

The \$15 million project would construct seven apartment buildings totaling 100,000 sq. ft. and includes 6 six-car garages. The project anticipates creating two positions (2 FTE).

The project is requesting assistance from the GCEDC with a sales tax exemption estimated at \$720,000, a property tax abatement estimated at \$3,031,048 via a fixed 10% 20-year PILOT (Housing PILOT for 20+ market-rate units), and a mortgage tax exemption estimated at \$120,000.

The project will also contribute \$50,000 per year for 20 years to the new Batavia Home Fund (BHF). The Town of Batavia, the City of Batavia and GCEDC have established this fund to enable housing development support in the city.

This will result in a net savings to the project of \$2,871,480.

The project aligns with the Genesee County Economic Development Center's Housing Policy #1 and a recognized need for housing availability. The Genesee County Housing Needs Assessment identified that 4,800 units are needed in the next 20 years across single-family homes and rental units.

Criteria #1 – The Project pledges to create and/or retain quality, good paying jobs in Genesee County.

Project details: The project is planning on creating 2 FTE direct jobs at \$52,000 annually plus benefits.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #2- Completion of the Project will enhance the long-term tax base and/or make a significant capital investment.

Project details: The project will enhance long term tax base with an investment of \$15,000,000 and construct 100,000 sq. ft. and 80 units of market-rate housing.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #3- The Project will contribute towards creating a “livable community” by providing a valuable product or service that is underserved in Genesee County.

Project details: Yes, the project will contribute towards a “livable community” as the housing shortage is outlined in Labella’s housing study of Genesee County 2018 report.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #4: The Board will review the Agency’s Fiscal and Economic Impact analysis of the Project to determine if the Project will have a meaningful and positive impact on Genesee County. This calculation will include the estimated value of any tax exemptions to be provided along with the estimated additional sources of revenue for municipalities and school districts that the proposed project may provide.

The Fiscal impacts (discounted value) on Local Benefits totals \$34,480,522 (\$32,768,213 in payroll and \$1,712,309 to the public in tax revenues). See attached MRB Cost Benefit Calculator.

Project details: For every \$1 of public benefit the company is investing \$12 into the local economy.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #5: The Project is included in one of the Agency’s strategic industries: Agri-Business and Food Processing, Manufacturing, Advanced Manufacturing and Nano-Enabled Manufacturing, Life Sciences and Medical Device.

Project details: N/A

Board Discussion:

Criteria #6: The Project will give a reasonable estimated timeline for the completion of the proposed project.

Project details: The project is planning to begin construction in late spring 2024 and be operational within 24 months.

Board Discussion

Board Concurrence: YES NO If no, state justification:

MJM
1/5/24

INITIAL RESOLUTION
(MedTech Landing, LLC Project)

A regular meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center was convened on Thursday, January 11, 2024.

The following resolution was duly offered and seconded, to wit:

Resolution No. 01/2024 - _____

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF MEDTECH LANDING, LLC WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW, THE "PROJECT"), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, AND (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 565 of the Laws of 1970 of the State of New York, as amended (hereinafter collectively called the "Act"), the **GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY d/b/a GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER** (the "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **MEDTECH LANDING, LLC**, for itself or on behalf of an entity formed or to be formed by it or on its behalf (the "Company") has submitted an application (the "Application") to the Agency, a copy of which is on file with the Agency, requesting the Agency's assistance with respect to a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold or other interest in certain property located at Assemblyman R. Stephen Hawley Drive, Town of Batavia, Genesee County, New York and all other lands in the Town of Batavia where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land", being more particularly described as all or a portion of tax parcel Nos. 9.-1-213, 9.-1-214, 9.-1-216.21, 9.-1-217 and 9.-1-218, as may be merged); (ii) the planning, design, construction and operation of seven (7) buildings comprising eighty (80) market rate apartments and six (6) six (6) car garages, along with utility and site improvements, parking lots, access and egress improvements, signage, curbage, landscaping and stormwater retention improvements (collectively, the "Improvements"); and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution describing the Project and the Financial Assistance (as defined below) that the Agency is contemplating with respect to the Project; and

WHEREAS, both case law and the Office of the New York State Comptroller have expressed their opinions that residential housing development constitutes a "project" as defined within the Act; and

WHEREAS, it is contemplated that the Agency will (i) hold a public hearing, (ii) designate the Company as agent of the Agency for the purpose of undertaking the Project pursuant to a project agreement (the "Project Agreement"), (iii) negotiate and enter into a lease agreement (the "Lease Agreement"), a leaseback agreement (the "Leaseback Agreement"), a tax agreement (the "Tax Agreement") and related documents, (iv) take a leasehold interest in the Land, the Improvements, the Equipment and the personal property constituting the Project (once the Lease Agreement, the Leaseback Agreement and the Tax Agreement have been negotiated), and (v) provide Financial Assistance to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction, reconstruction, renovation and equipping of the Facility, (b) a partial real property tax abatement structured through the Tax Agreement, and (c) a partial mortgage recording tax exemption as authorized by the laws of New York State (collectively, the "Financial Assistance").

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER AS FOLLOWS:

Section 1. The Company has presented an Application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the Application, the Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of acquiring, constructing and equipping the Project; and

(C) The Agency has the authority to take the actions contemplated herein under the Act; and

(D) The action to be taken by the Agency will induce the Company to develop the Project, thereby increasing employment opportunities in Genesee County, New York, and otherwise furthering the purposes of the Agency as set forth in the Act; and

(E) The Project will not result in the removal of a facility or a commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the

abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries.

Section 2. The Agency is hereby authorized to conduct a public hearing in compliance with the Act.

Section 3. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. These Resolutions shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Peter Zeliff	[]	[]	[]	[]
Matthew Gray	[]	[]	[]	[]
Paul Battaglia	[]	[]	[]	[]
Marianne Clattenburg	[]	[]	[]	[]
Chandy Kemp	[]	[]	[]	[]
Kathleen Manne	[]	[]	[]	[]
Craig Yunker	[]	[]	[]	[]

The Resolutions were thereupon duly adopted.

CERTIFICATION
(MedTech Landing, LLC Project)

STATE OF NEW YORK)
COUNTY OF GENESEE) ss.:

I, the undersigned Secretary of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency"), including the resolution contained therein, held on January 11, 2024, with the original thereof on file at the Agency's office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this ____ day of _____, 2024.

Secretary

**Genesee County Economic Development Center
November 2023 Dashboard
Balance Sheet - Accrual Basis**

DRAFT

	<u>11/30/23</u>	<u>10/31/23</u>	[Per Audit] <u>12/31/22</u>
ASSETS:			
Cash - Unrestricted (1)	\$ 11,152,807	\$ 11,172,312	\$ 6,428,049
Cash - Restricted (A)(2)	7,845,361	7,761,226	8,955,862
Cash - Reserved (B)(3)	672	672	797,149
Cash - Subtotal	18,998,840	18,934,210	16,181,060
Grants Receivable (4)	69,644	68,519	67,663
Accounts Receivable (5)	135,933	103,671	105,672
Deposits	2,832	2,832	2,832
Prepaid Expense(s) (6)	10,567	17,707	25,691
Loans Receivable - Current	55,329	55,652	54,539
Total Current Assets	19,273,145	19,182,591	16,437,457
Land Held for Dev. & Resale (7)	23,735,501	23,639,523	22,615,924
Furniture, Fixtures & Equipment	71,257	71,257	71,257
Total Property, Plant & Equip.	23,806,758	23,710,780	22,687,181
Less Accumulated Depreciation	(69,784)	(69,729)	(69,183)
Net Property, Plant & Equip.	23,736,974	23,641,051	22,617,998
Loans Receivable- Non-current (Net of \$47,429 Allow. for Bad Debt)	85,681	90,195	138,073
Right to Use Assets, Net of Accumulated Amortization	30,078	30,078	30,078
Net Pension Asset (12)	200,580	200,580	200,580
Other Assets	316,339	320,853	368,731
TOTAL ASSETS	43,326,458	43,144,495	39,424,186
DEFERRED OUTFLOWS OF RESOURCES			
Deferred Pension Outflows (12)	416,930	416,930	416,930
Deferred Outflows of Resources	416,930	416,930	416,930
LIABILITIES:			
Accounts Payable (8)	147,200	57,379	218,950
Loan Payable - Genesee County - Current (9)	315,000	315,000	305,000
Accrued Expenses	61,639	56,606	30,879
Lease Payable - Current	12,167	12,167	12,167
Customer Deposits - Local Labor Reporting	18,505	18,505	-
Unearned Revenue (10)	6,720,121	6,832,918	8,533,938
Total Current Liabilities	7,274,632	7,292,575	9,100,934
Loans Payable - ESD (11)	5,196,487	5,196,487	5,196,487
Loan Payable - Genesee County - Noncurrent (9)	2,510,000	2,510,000	2,825,000
Lease Payable - Noncurrent	17,911	17,911	17,911
Total Noncurrent Liabilities	7,724,398	7,724,398	8,039,398
TOTAL LIABILITIES	14,999,030	15,016,973	17,140,332
DEFERRED INFLOWS OF RESOURCES			
Deferred Pension Inflows (12)	712,344	712,344	712,344
Deferred Inflows of Resources	712,344	712,344	712,344
NET ASSETS	\$ 28,032,014	\$ 27,832,108	21,988,440

Significant Events:

1. Unrestricted Cash - YTD Increase related to Edwards Vacuum Project Origination Fee (\$1.025M), Land sale at AppleTree Acres (J. Rental \$831.9K) and land sale at STAMP (Edwards Vacuum \$3.72M).
2. Restricted Cash - Includes cash deposited by ESD into imprest accounts related to the \$8M and \$33M STAMP grants. Expenditures out of these accounts are pre-authorized by ESD.
3. Reserved Cash - RLF funds were used to cover STAMP expenses in August of 2023. \$564K was used to set up the STAMP Part 182 Permit Reserve and \$320K was used for the Keeler and 716 Contracts.
4. Grants Receivable - National Grid grants support marketing and development activities for STAMP and the LeRoy Food & Tech Park.
5. Accounts Receivable - Econ. Dev. Program Support Grant, MedTech Centre Property Management, final origination fee installment from Nexgistics, etc.
6. Prepaid Expense(s) - Cyber, D&O, life, general liability, umbrella, workers compensation and short-term disability insurance, etc.
7. Land Held for Dev. & Resale - Additions are related to STAMP development costs.
8. Accounts Payable - Pembroke PIF payment received in November and not disbursed until December, e3communications and interest earned on imprest accounts that will be remitted to ESD.
9. Loan Payable - Genesee County (Current & Noncurrent) - Per a Water Supply Agreement with Genesee County, the County remitted \$4M to the GCEDC to put towards water improvements located in the Town of Alabama and the Town of Pembroke and other Phase II improvements as identified by the County. GCEDC started making annual payments to the County of \$448,500 beginning in January 2020.
10. Unearned Revenue - Interest received in advance; Genesee County contribution received in advance; Funds received from municipalities to support park development; Funds received to support workforce development; ESD Grant funds to support STAMP development, not actually earned until eligible expenditures are incurred.
11. Loans Payable - ESD - Loans from ESD to support STAMP land acquisition and related soft costs.
12. Net Pension Asset / Deferred Pension Outflows / Deferred Pension Inflows - Accounts related to implementation of GASB 68.

(A) Restricted Cash = GAIN! Loan Funds, Municipal Funds, Grant Funds Received in Advance.

(B) Reserved Cash = RLF #1 Funds (defederalized).

**Genesee County Economic Development Center
November 2023 Dashboard
Profit & Loss - Accrual Basis**

DRAFT

	Month to Date		YTD		2023	2023
	11/30/23	11/30/22	2023	2022	Board Appr.	YTD %
					<u>Budget</u>	<u>of Budget</u>
<u>Operating Revenues:</u>						
Genesee County	\$ 19,459	\$ 19,459	\$ 214,050	\$ 214,051	\$ 233,513	92%
Genesee County - WFD	2,083	2,083	22,914	22,915	25,000	92%
Fees - Projects (1)	121,963	250	1,626,037	383,093	487,000	334%
Fees - Services	7,262	7,099	79,882	78,090	87,146	92%
Interest Income on Loans	163	211	2,012	2,540	2,170	93%
Rent	577	-	12,334	16,393	32,910	37%
Common Area Fees - Parks	-	-	391	373	380	103%
Grants (2)	206,060	82,809	2,535,224	4,231,366	4,600,459	55%
GGLDC Grant- Econ. Dev. Program Support	25,000	25,000	275,000	275,000	300,000	92%
GCFC Grant - Econ. Dev. Program Support	-	-	-	328,388	-	N/A
Land Sale Proceeds (3)	-	-	4,600,000	67,500	-	N/A
BP ² Revenue	12,377	-	14,091	22,693	52,819	27%
Other Revenue	159	-	5,764	1,390	5,000	115%
Total Operating Revenues	395,103	136,911	9,387,699	5,643,792	5,826,397	161%
<u>Operating Expenses</u>						
General & Admin	113,046	119,397	1,517,620	1,243,454	1,519,303	100%
Professional Services	14,768	1,500	77,028	61,663	206,620	37%
Site Maintenance/Repairs	10,073	-	17,925	5,171	38,000	47%
Property Taxes/Special District Fees	-	-	5,195	3,518	3,030	171%
BP ² Expense	-	82,809	-	82,809	17,244	0%
PIF Expense	92,140	-	155,115	43,296	151,906	102%
Site Development Expense (4)	15,204	-	950,882	2,456,204	2,373,161	40%
Cost of Land Sales	-	-	870,333	5,775	-	N/A
Real Estate Development (5)	95,978	-	1,938,684	2,593,671	1,770,339	110%
Balance Sheet Absorption	(95,978)	-	(1,938,684)	(2,593,671)	-	N/A
Total Operating Expenses	245,231	203,706	3,594,098	3,901,890	6,079,603	59%
Operating Revenue (Expense)	149,872	(66,795)	5,793,601	1,741,902	(253,206)	
<u>Non-Operating Revenue</u>						
Other Interest Income (6)	50,034	13,659	249,973	27,614	5,900	4237%
Total Non-Operating Revenue	50,034	13,659	249,973	27,614	5,900	4237%
Change in Net Assets	199,906	(53,136)	6,043,574	1,769,516	\$ (247,306)	
Net Assets - Beginning	27,832,108	21,406,147	21,988,440	19,583,495		
Net Assets - Ending	\$ 28,032,014	\$ 21,353,011	\$ 28,032,014	\$ 21,353,011		

Significant Events:

1. Fees Projects - Forefront Power.
2. Grants - PIF from RJ Properties (Liberty Pumps) supports Apple Tree Acres Infrastructure improvements; PIF from Yancey's Fancy supports Infrastructure Fund Agreement with the Town of Pembroke; \$448K Community Benefit Agreement payment dedicated to STAMP by sourcing debt service payments to the County; National Grid grant supports marketing and development activities for STAMP; ESD \$33M & \$8M Grants support STAMP engineering, environmental, legal, infrastructure, etc.
3. Land Sale Proceeds - AppleTree Acres (J. Rental \$831.9K) and STAMP (Edwards Vacuum \$3.72M).
4. Site Development Expense - Installation of, or improvements to, infrastructure that is not owned by the GCEDC, or will be dedicated to a municipality in the foreseeable future, is recorded as site development expense when costs are incurred.
5. Real Estate Development Costs - Includes STAMP development costs.
6. Other Interest Income - Interest rates have increased substantially; invested funds into a CD for additional interest income.

**Genesee County Economic Development Center
November 2023 Dashboard
Statement of Cash Flows**

DRAFT

	November 2023	YTD
CASH FLOWS PROVIDED BY OPERATING ACTIVITIES:		
Genesee County	\$ 21,542	\$ 258,506
Fees - Projects	121,963	1,533,537
Fees - Services	-	86,656
Interest Income on Loans	161	1,915
Rent	577	20,583
Common Area Fees - Parks	-	391
Grants	92,140	720,481
BP ² Revenue	12,377	14,091
GGLDC Grant - Economic Development Program Support	-	300,000
Other Revenue	159	5,764
Repayment of Loans	4,837	51,602
Net Land Sale Proceeds	-	4,548,774
Customer Deposit	-	18,505
General & Admin Expense	(99,597)	(1,477,739)
Professional Services	(13,768)	(90,568)
Site Maintenance/Repairs	(10,073)	(17,478)
Site Development	(17,704)	(1,056,819)
Property Taxes/Special District Fees	-	(5,195)
PIF Expense	(14,813)	(62,975)
Improv/Additions/Adj to Land Held for Development & Resale	(95,978)	(2,021,621)
Net Cash Provided By Operating Activities	1,823	2,828,410
CASH FLOWS USED BY NONCAPITAL FINANCING ACTIVITIES:		
Principal Payments on Loan	-	(305,000)
Net Cash Used By Noncapital Financing Activities	-	(305,000)
CASH FLOWS PROVIDED BY INVESTING ACTIVITIES:		
Interest Income (Net of Remittance to ESD)	62,807	294,370
Net Change in Cash	64,630	2,817,780
Cash - Beginning of Period	18,934,210	16,181,060
Cash - End of Period	\$ 18,998,840	\$ 18,998,840
RECONCILIATION OF NET OPERATING REVENUE TO NET CASH PROVIDED BY OPERATING ACTIVITIES:		
Operating Revenue	\$ 149,872	\$ 5,793,601
Depreciation Expense	55	601
Increase in Operating Accounts/Grants Receivable	(33,387)	(32,242)
Decrease in Prepaid Expenses	7,140	15,124
Decrease in Loans Receivable	4,837	51,602
Increase in Land Held for Development & Resale	(95,978)	(1,119,577)
Increase (Decrease) in Operating Accounts Payable	77,048	(116,147)
Increase in Accrued Expenses	5,033	30,760
Decrease in Unearned Revenue	(112,797)	(1,813,817)
Increase in Customer Deposits	-	18,505
Total Adjustments	(148,049)	(2,965,191)
Net Cash Provided By Operating Activities	\$ 1,823	\$ 2,828,410

**AGREEMENT BETWEEN
GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER
AND
COUNTY OF GENESEE
FOR 2024**

THIS AGREEMENT made effective the _____ day of _____, 20____
by and between the **COUNTY OF GENESEE**, a municipal corporation organized and existing under and by virtue of the laws of the State of New York and having its principal office at 15 Main Street, Batavia, New York, 14020, (hereinafter “County”), and the **GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER**, organized pursuant to Section 895-3 of the General Municipal law, with its principal office located at 99 MedTech Drive, Suite 106, Batavia, New York, 14020 (hereinafter “GCEDC”).

WHEREAS, it is in the best interest of the County that the many advantages of Genesee County be promoted to those who may be interested in establishing, maintaining or expanding business and industry in the County of Genesee, in order to create new employment opportunities and to maintain a healthy economy and,

WHEREAS, equally as important is the ability to retain within the County the employment already located there and,

WHEREAS, the GCEDC is organized for the purpose of promoting and encouraging economic development within the County and,

WHEREAS, the Genesee County Legislature and the Genesee County Economic Development Center are desirous of consummating a partnership agreement for continuing an energetic and continuing program of promoting industrial and economic development and enhancing the economic climate of Genesee County and,

WHEREAS, the purpose of this Agreement is to carry out in a legal and proper manner the

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provisions of Section 852 of the General Municipal Law of the State of New York, which Section does authorize the County to appropriate funds for the purpose of encouraging industrial development within the County.

NOW, THEREFORE, in consideration of the agreements and promises herein contained the parties hereto do hereby agree as follows:

1. The GCEDC agrees that it will continue to employ a professional staff which will maintain a continuing program of identifying, locating and contacting business and industrial prospects who may be interested in establishing or expanding their business, manufacturing and/or industrial facilities within the County of Genesee and in connection therewith the GCEDC agrees that it will maintain up-to-date factual data on all aspects of the County of Genesee for use in promoting the advantages of the County.
2. The GCEDC will, through its professional staff, conduct an ongoing local business and industry expansion and retention program. As part of this program, the GCEDC will maintain close and frequent contact and communication with local businesses including industrial firms.
3. The GCEDC will assist prospective business and industrial employers in packaging financial assistance from a variety of public and private sources as appropriate for the construction of new or expanded facilities which will result in additional employment opportunities for residents of Genesee County.
4. The GCEDC will keep the County informed of its operations through the County Legislature's representative member of the GCEDC, by means of joint meetings which either party might request and through the submission of its proposed annual budget and annual report as set forth more particularly in Paragraph 7 herein.
5. The GCEDC will, through its professional staff, coordinate with the Director of the Genesee County Planning Department in implementing this program of economic development, particularly as it relates to a Land Use Plan which has been developed for Genesee County.
6. In full payment for the services to be performed by GCEDC as set forth herein, the County hereby agrees to pay and GCEDC hereby agrees to accept from the County, the sum of Two Hundred Thirty-Three Thousand Five Hundred and Thirteen Dollars (\$233,513.00), plus an additional sum of Twenty-five Thousand dollars (\$25,000.00) to be used only for Administration of a workforce development program, which are currently the amounts designated to be paid to GCEDC in the County's 2024 budget.
7. Said payments will be made to the GCEDC upon submission of vouchers by the GCEDC in the form required by the County monthly in equal amounts.

8. Notwithstanding the total amount due to GCEDC as set forth above that was budgeted by the County, the County shall have the right in its sole discretion, upon twenty-one days (21) prior written notice to GCEDC, to be delivered by first class postal mail and/or electronic mail, to prospectively increase or decrease any or all of the monthly payments due and owing; provided however, that no such financial revisions shall be effective retroactively for any amounts already paid by the County to GCEDC.
9. It is intended by both GCEDC and the County that the GCEDC's status shall be that of an independent contractor, and that nothing in this Agreement shall be construed to create an employer/employee relationship between GCEDC and the County.
10. GCEDC, in accordance with its status as an independent contractor, covenants and agrees that it will conduct itself consistent with such status, that it will neither hold itself out as, nor claim to be, an officer or employee of the County by reason hereof, and that GCEDC will not, by reason hereof, make any claim, demand or application to or for any right or privilege applicable to any officer or employee of the County including, but not limited to worker's compensation coverage, unemployment insurance benefits, social security coverage or retirement membership or credit; and GCEDC will be completely legally responsible for all of its employees.
11. If the Internal Revenue Service or any other governmental agency questions or challenges the GCEDC's independent contractor status, then it is agreed that both the County and GCEDC shall have the right to participate in any conference, discussion, or negotiation with the governmental agency, irrespective of with whom, or by whom, such discussion or negotiations are initiated.
12. GCEDC shall perform all of its duties and services as set forth in this Agreement in compliance with all applicable federal, state and local laws, rules and regulations.
13. GCEDC hereby agrees to indemnify, defend and hold harmless the County from and against all claims, losses, costs and damages (hereinafter collectively "Claims") arising out of any activities of GCEDC pursuant to the terms and conditions of this Agreement, including the cost of settling and defending any actions brought against the County. Each party shall provide the other party with timely notice of any Claims received and shall fully cooperate with each other to defend the same.

14. This Agreement and any transactions between the parties hereunder shall be governed by, construed and interpreted in accordance with the laws of the State of New York.
15. There are no other agreements or understandings, either oral or written, between the parties affecting this Agreement. No changes, additions or deletions of any portions of this Agreement shall be valid or binding upon the parties hereto, unless approved in writing by the parties.
16. The term of this Agreement shall commence on January 1, 2024 and will end on December 31, 2024.
17. The GCEDC agrees to submit to the County its Proposed Annual Budget for the year 2025 not later than September 1, 2024.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed by their duly authorized officers and their corporate seals to be affixed as of the day and year first above written.

COUNTY OF GENESEE

GENESEE COUNTY
ECONOMIC DEVELOPMENT CENTER

By: Rochelle M. Stein, Chair
Genesee County Legislature

By: _____, Chairman
Genesee County Economic Development Center

STATE OF NEW YORK)
COUNTY OF GENESEE) SS:

On this _____ day of _____, in the year 20____, before me the undersigned, personally appeared Rochelle M. Stein _____, Genesee County Legislature Chair, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the entity or individual upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF GENESEE) SS:

On this _____ day of _____, in the year 20____, before me the undersigned, personally appeared _____, Genesee County Economic Development Center Chairman, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the entity or individual upon behalf of which the individual acted, executed the instrument.

Notary Public

RESOLUTION NO. 528

**CONTRACT RENEWAL - GENESEE COUNTY
ECONOMIC DEVELOPMENT CENTER (GCEDC) -
APPROVAL OF**

Legislator Clattenburg offered the following resolution:

WHEREAS, the Committee on Ways and Means has reviewed the proposed contract for 2024 between the County of Genesee and the Genesee County Economic Development Center (GCEDC) and does recommend approval at this time. Now, therefore, be it

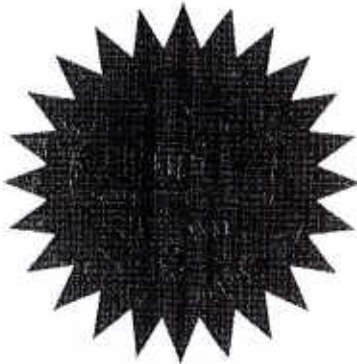
RESOLVED, that the Chair of the Genesee County Legislature be and hereby is authorized and directed to execute a contract with the Genesee County Economic Development Center (GCEDC) for a period beginning January 1, 2024 through December 31, 2024 and be it further

RESOLVED, that the sum of \$233,513 shall be paid in regular installments, pursuant to the Agreement, upon submission by the Agency of vouchers in proper form. An additional \$25,000 for workforce training program administration will be paid upon submission by the Agency of vouchers in proper form.

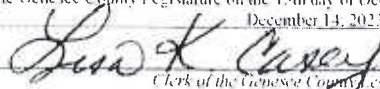
Budget Impact:

2024	= \$233,513 + \$25,000 workforce training program administration
2023	= \$233,513 + \$25,000 workforce training program administration
2022	= \$233,513 + \$25,000 workforce training program administration
2021	= \$233,513
2020	= \$233,513
2019	= \$233,513
2018	= \$193,513
2017	= \$193,513 - 10% reduction in funding or \$21,501 less
2016	= \$215,014
2015	= \$215,014
2014	= \$215,014
2013	= \$215,014
2012	= \$215,014; 5% reduction in funding or \$11,317 less
2011	= \$226,330; 15% reduction in funding or \$29,942 less
2010	= \$266,271; 5% reduction in funding or \$14,014 less
2009 to 2006	funding = \$280,285
2005 to 2003	= \$275,285
2002	= \$245,000

Legislator Yunker seconded the resolution, which was adopted by 200 votes.



State of New York
County of Genesee
I hereby certify that the foregoing is a true and correct transcript of a resolution duly adopted
by the Genesee County Legislature on the 13th day of December 2023. Dated, Batavia, New York
December 14, 2023


Clerk of the Genesee County Legislature

GCEDC
Audit & Finance Committee Meeting Report
January 9, 2024

3f. Shared services agreement with Erie County Industrial Development Agency

Discussion: The GCEDC has a shared services agreement with Erie County Industrial Development Agency (ECIDA) for on call IT support services. The GCEDC had this agreement since 2016 and has been very pleased with the service and response time to our issues. We would like to continue this agreement in 2024. The agreement is at an hourly rate of \$95. They also provide website hosting services for the GCEDC (\$600 annually), anti-virus software (\$720 annually), CRM Hosting (\$2,200 annually) and any version upgrade would be \$500 each occurrence as required. Since 2016 there was one \$10 per hour increase in the hourly rate (2022). There are no changes from 2023 to 2024. All other amounts have remained the same as last year.

The following amounts were included in the 2024 budget:

Professional Services - \$5,000 for ECIDA IT hourly support and \$600 for web hosting
Dues & Subscriptions - \$2,200 for ECIDA CRM Hosting and \$720 for antivirus software

Fund commitment: Not to exceed \$5,600 as included in the Professional Services, and \$2,920 as included in Dues & Subscriptions line items of the 2024 budget.

Committee action request: Recommend approval of not to exceed \$8,520 for on call IT support services, website hosting, anti-virus software, CRM hosting and upgrades with ECIDA for 2024.



Service Agreement
For
Information Technology Support

January 1, 2024

Purpose

The purpose of this Service Agreement is to formalize an arrangement between ECIDA and GCEDC to deliver specific support services at an agreed-upon cost. The mission of the ECIDA is to provide resources that encourage investment, innovation and international trade – creating a successful business climate that improves the quality of life for the residents of the region. We feel that this agreement serves to further that mission. This document is intended to provide details of the provision of support services to GCEDC. This Service Agreement will evolve over time, with additional knowledge of the client requirements, as well as the introduction of new hardware, software and services into the support portfolio provided to and from GCEDC.

Scope of Agreement

The following services are provided in response to the initiation of a support ticket from GCEDC staff to ECIDA support staff:

- 1.) Helpdesk support
- 2.) Software and hardware maintenance
- 3.) Security review and support
- 4.) Backup system review and support
- 5.) Server systems review, maintenance and support
- 6.) Network systems management and support
- 7.) Additional specialized software support
 - a. Peachtree
 - b. Microsoft CRM
 - c. Sophos Endpoint Protection
 - d. Others
- 8.) Website
 - a. Online application
 - b. FTP
 - c. Hosting
- 9.) Overall monitoring of hardware, software and network

Services and requests NOT covered under this agreement:

- 1.) Procurement of software or hardware
- 2.) Training
- 3.) Assistance with non-licensed or illegally obtained software

Changes to the Agreement

Termination

In the event that GCEDC or ECIDA wishes to terminate this agreement, 30-day notice of intent to terminate must be delivered to the opposite party. Any termination of the agreement prior to the conclusion of a project will not relieve GCEDC of the obligation to pay the fees owed to ECIDA for services performed and other charges owed to the ECIDA as agreed to in this Service Agreement.

Amendments

This agreement may be amended at any time. Any amendments must be agreed upon by designated management from GCEDC and ECIDA.

Process

In order to initiate a support ticket, GCEDC may use the following methods:

- 1.) Phone Call – Please leave the following information if you reach voicemail
 - a. Name
 - b. Best contact number
 - c. Available contact times
 - d. Short description of issue
 - e. Preferred method of return contact (email/phone)

- 2.) Email – Please include the following information
 - a. Best contact number
 - b. Available contact times
 - c. Detailed description of issue
 - d. Preferred method of return contact (email/phone)

Any major service requests requiring more than 8 hours will need approval from designated management at each organization.

ECIDA management reserves the right to prioritize any support requests.

Metrics

ECIDA will keep a log of support requests and resolutions. This log shall include the following information:

- 1.) Service summary
- 2.) Current status (In progress/complete)
- 3.) Service start date
- 4.) Service completed date
- 5.) Client contact (user requesting the service)

Upon request, the ECIDA will make a copy of this log available as an Excel spreadsheet.

Availability

Support staff will be available during normal ECIDA hours of operation. Any requests for service outside of designated hours must be approved by designated ECIDA management. Support staff will make their best effort to notify GCEDC main point of contact when vacation or personal time is scheduled in advance.

Costs

Hourly Rate: \$95, minimum charge of ½ hour. **(Quarterly Billing)**

Travel: Current Federal mileage reimbursement rate for privately owned vehicle.

Website Hosting:

\$50/mo for hosting **(\$600 Annual Invoice)**

- 1 Virtual Server instance (1 virtual processor, 1GB of RAM)
- 50GB of storage
- 1 x Concrete5 Site
- 1 x SQL Database
- Nightly Backup
- Off-Site Disaster Recovery Backup
- Lease of 1 static public IP address

***Upon notice of termination of hosting from either contracted entity, client will have 90 days to move the site(s) to a new host.*

Anti-Virus Software:

\$720/yr for the use of Endpoint Protection Software (Anti-Virus) licenses. **(\$720 Annual Invoice)**

- Coverage for up to 10 PCs
- Installation and software support
- Management of alerts, remediation and license renewals

Microsoft CRM Hosting (Appendix A): \$2200 **(Annual Invoice)**, \$500 major version upgrade fee **(as required)**

Billing will occur as noted above for each item. Invoices are payable within thirty (30) days of receipt.

Key Contacts

ECIDA – 95 Perry Street, Suite 403, Buffalo, NY 14203

716-856-6525

Brian Krygier – Systems Analyst (Support requests) x 501

Atiqa Abidi – Senior Accountant (Billing requests) x 122

Mollie Profic – Chief Financial Officer (Approval and change requests) x 123

GCEDC – 99 MedTech Drive, Suite 106, Batavia, NY 14020

585-343-4866

_____ (Main point of contact)

_____ (Billing contact)

_____ (Approval and change requests)

GCEDC

Name: _____

Title: _____

Signature: _____

ECIDA

Name: Mollie Profic

Title: Vice President

Signature: Mollie M Profic 12/13/23

Appendix A

Microsoft CRM Hosting Detail (3-year term)

The Erie County Industrial Development Agency agrees to host a live instance of Microsoft CRM for Genesee County Economic Development Center according to the terms outlined below.

GCEDC will pre-pay \$2200 annually to ECIDA which will include:

- 1.) Security updates and software patches
- 2.) Nightly backup to ECIDA on-site storage
- 3.) Twice a week backup to encrypted off-site storage
- 4.) Server maintenance (other than software)
- 5.) Power and cooling
- 6.) Internet bandwidth

GCEDC will pay a \$500 version upgrade fee, as applicable, to ECIDA which will include:

- 1.) Major version upgrade of GCEDC CRM instance
- 2.) 6 non-transferrable user client access licenses for ECIDA's Windows Server, SQL Database Server and CRM Server
- 3.) Configuration of backup to include upgraded GCEDC CRM data
- 4.) Configuration of DNS for external access changes to <https://gcedc.ecidany.com>
- 5.) Upgrade and configuration assistance of Outlook CRM plug-in
- 6.) Import of customizations into upgraded GCEDC CRM instance

Additional users beyond the initial setup will be assessed and charged on a per user basis using current pricing information. Additional users may impact the annual fee. Notice of such an increase will be given along with cost information prior to setting up any additional users.

A copy of the ECIDA backup policy is available by request.

These terms will be in effect for 3 years, at which time ECIDA reserves the right to re-evaluate the annual fee based on system usage and backup capacity. If either party must terminate this agreement during the 3-year term, ECIDA agrees to provide GCEDC with their exported CRM customizations and SQL data. 30-day written notice must be provided by the party wishing to terminate the agreement. The file(s) will be provided within 7 days of termination and would allow GCEDC to continue running their instance either in-house or with CRM online. Licensing is non-transferrable from ECIDA and would not accompany the two files. If either party must terminate the agreement, a portion of the \$2200 annual fee will be returned on a prorated basis.