



**GCEDC STAMP Committee Meeting**  
**Wednesday, March 26, 2025**  
**Location: 99 MedTech Drive, Innovation Zone**

**8:00 a.m.**

**MINUTES**

**ATTENDANCE**

Committee Members: C. Kemp, M. Clattenburg, P. Zeliff  
C. Yunker (Video Conference. Not officially in attendance)  
Staff: M. Masse, E. Finch, J. Krencik, P. Kennett  
Guests: R. Crossen (Town of Alabama Supervisor), M. Fitzgerald (Phillips Lytle)  
Absent:

**1. Call to Order / Enter Public Session**

P. Zeliff called the meeting to order at 8:07 a.m. in the Innovation Zone.

**1a. Executive Session**

C. Kemp made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 8:08 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 M. Clattenburg and approved by all members present.

P. Kennett entered the meeting at 8:12 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** – Nothing at this time.

**2b. Minutes: March 5, 2025**

**M. Clattenburg made a motion to approve March 5, 2025 minutes; the motion was seconded by C. Kemp. Roll call resulted as follows:**

P. Zeff - Yes  
C. Yunker - N/A (Video Conference. Not officially in attendance)  
M. Clattenburg – Yes  
C. Kemp - Yes

**The item was approved as presented.**

### **3. Discussions / Official Recommendations to the Board:**

**3a. Town of Alabama Review Fees for Water Tank** – The GCEDC had completed the site plan approval of design and engineering of the onsite water storage tank. The Town of Alabama hired Wendel Engineering to review the plans and recommend any actions to the Planning Board along with their Special Project Manager. The Planning Board approved the project. The GCEDC has received invoices in connection with this review in the amount of \$4,375.00.

M. Masse stated another invoice from Town of Alabama was received on Monday, March 24, 2025 for \$3,077.25 which is to be added to the total cost due.

**Fund commitment:** The \$ 7,452.25 is covered under the existing \$56 million NYESD grant.

**Committee action request:** Recommend approval to the full Board to pay \$ 7,452.25 to the Town of Alabama.

**M. Clattenburg made a motion to recommend to the full Board the approval of the payment to the Town of Alabama for review fees related to the onsite water tank not to exceed \$7,452.25; the motion was seconded by C. Kemp. Roll call resulted as follows:**

P. Zeff - Yes  
C. Yunker - N/A (Video Conference only. Not officially in attendance)  
M. Clattenburg – Yes  
C. Kemp - Yes

**The item was approved as presented.**

**3b. Escrow Agreement – Expense** – The GCEDC Board required three data center projects that were looking at overlapping acreage to enter into agreements to cover the costs incurred by the GCEDC regarding their projects. The GCEDC Board approved the draft Escrow Agreement at the 10/31/24 Board Meeting. The agreement includes language stating - “Applicant shall reimburse invoices out of pocket consultants fees incurred in review of the Project”.

At the 1/16/25 Board Meeting, the GCEDC Board approved payment of invoices to Phillips Lytle related to the data centers, not to exceed \$25,000 per company, as this was the amount that had been received from each company at that time. Per the agreements, funds are required to be replenished as necessary. Additional funds have been received from each company.

**Fund Commitment:** The total amount is to be determined. Total expenses would not exceed the total funds received from these companies under the Escrow Agreements.

**Board Action Request:** Recommend authorization to pay expenses related to the executed Escrow Agreements in place with three data center projects. Total expenses would not exceed the total funds received from these companies under the Escrow Agreements.

**M. Clattenburg made a motion to recommend to the full Board the approval of the payment of expenses related to the executed escrow agreements in place with the three data center projects not to exceed the total funds received from these companies; the motion was seconded by C. Kemp. Roll call resulted as follows:**

P. Zelif - Yes  
C. Yunker - N/A (Video Conference. Not officially in attendance)  
M. Clattenburg – Yes  
C. Kemp - Yes

**The item was approved as presented.**

**3c. CRA NYPA Agreement** – Included with the meeting materials was a First Amendment to a Cost Reimbursement Agreement (CRA) with NYPA for the review of the design and engineering for the substation at the STAMP site.

**Fund commitment:** Additional \$500,000 included in the \$56 million.

**Committee action request:** Recommend approval to sign CRA for an additional \$500,000.

M. Masse noted that the memo included in the meeting materials incorrectly reflects the agreement, it is not \$250,000. The correct amount is \$500,000.

**M. Clattenburg made a motion to recommend to the full Board the approval of the Cost Reimbursement Agreement with NYPA not to exceed \$500,000; the motion was seconded by C. Kemp. Roll call resulted as follows:**

P. Zelif - Yes  
C. Yunker - N/A (Video Conference. Not officially in attendance)  
M. Clattenburg – Yes  
C. Kemp - Yes

**The item was approved as presented.**

**3d. PSA – Stream US Data Centers** – Included with the meeting materials was a proposed Purchase and Sale Agreement with Stream U.S. Data Centers for 60 acres at \$300K/acre at the STAMP site. M. Masse stated that there are provisions in this agreement for payment regarding the megawatt usage at the substation along with a deed restriction on the number of megawatts they can utilize. Legal counsel for Stream U.S. Data Centers has not reviewed this yet. M. Masse stated that if there are any substantial changes proposed, the agreement would be brought back to the Board for approval.

P. Zelif stated that if there are any financial changes or terms that affect the payments then the agreement needs to be brought back to the Committee for approval.

Resolution No. 03/2025 - 03

**DRAFT**

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") AUTHORIZING THE APPOINTMENT OF COUNSEL REGARDING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT, A DEED, AND ANY RELATED DOCUMENTS IN CONNECTION THEREWITH WITH RESPECT TO THE PROJECT PROPOSED BY STREAM U.S. DATA CENTERS, LLC.

**M. Clattenburg made a motion to recommend to the full Board the approval if the PSA for Stream US Data Centers, and the Authorizing Resolution for the Appointment of Counsel related to the PSA as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:**

P. Zeff - Yes  
C. Yunker - N/A (Video Conference. Not officially in attendance)  
M. Clattenburg – Yes  
C. Kemp - Yes

**The item was approved as presented.**

**4. Adjournment**

As there was no further business, C. Kemp made a motion to adjourn at 8:47 a.m., seconded by M. Clattenburg and passed unanimously.