



GCEDC STAMP Committee Meeting

Wednesday, October 30, 2024

Location: 99 MedTech Drive, Innovation Zone

8:00 a.m.

MINUTES

ATTENDANCE

Committee Members: M. Clattenburg, C. Yunker, C. Kemp
P. Zeliff (Video Conference. Not officially in attendance, as attendance location was not disclosed in public notice)

Staff: M. Masse, L. Farrell, P. Kennett, E. Finch, L. Casey, C. Suozzi, J. Krencik

Guests: M. Fitzgerald (Phillips Lytle), R. McCrea (Potentia), M. Davis (Potentia), D. Mackenzie (JLL), S. Curley (JLL), C. Lee (JLL), J. Smurdon (JLL), M. Jackson (JLL), C. Malcomb (Hodgson Russ), T. Wasko (PRP), P. Griffin (Lechase), P. Battaglia (GCEDC/GGLDC Board Member), E. Ahdoot (Hypertec/Video Conference), R. Ball (ESD/Video Conference), R. Gaenzle (Harris Beach)

Absent:

1. Call to Order / Enter Public Session

C. Yunker called the meeting to order at 8:02 a.m. in the Innovation Zone.

Presentation: Project Hydroscale – Representatives from Project Hydroscale presented some key points about their potential project at STAMP. This project is a two-story, two-building datacenter campus with each building having a 450,000 sq ft. footprint that could be constructed on 45 acres. The project will also utilize a closed loop liquid cooling system. All heat can be recouped and used to heat greenhouses. The project will also have minimal water consumption, zero noise and an eco-friendly design. This project will be a \$4B to \$5B capital investment that attempts to use the least amount of land, and provides the most Cap-X per acre, as well as the most jobs per acre.

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 8:25 a.m., for the following reasons:

1. Discussions regarding proposed, pending, or current litigation.
2. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.
3. The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such a public body, but only when publicity would substantially affect the value thereof.

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

At 8:25 a.m. the following guests left the meeting: R. McCrea (Potentia), M. Davis (Potentia), D. Mackenzie (JLL), S. Curley (JLL), C. Lee (JLL), J. Smurdon (JLL), M. Jackson (JLL), C. Malcomb (Hodgson Russ), T. Wasko (PRP), P. Griffin (Lechase), E. Ahdoot (Hypertec/Video Conference)

1b. Re-Enter Public Session

C. Kemp made a motion to enter back into public session at 8:54 a.m., seconded by M. Clattenburg and approved by all.

At 8:54 a.m. the following guests returned to the meeting: R. McCrea (Potentia), M. Davis (Potentia), D. Mackenzie (JLL), S. Curley (JLL), C. Lee (JLL), J. Smurdon (JLL), M. Jackson (JLL), C. Malcomb (Hodgson Russ), T. Wasko (PRP), P. Griffin (Lechase),

2. Chairman’s Report & Activities

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

2b. Minutes: September 4, 2024

M. Clattenburg made a motion to approve September 4, 2024, minutes; the motion was seconded by C. Kemp. Roll call resulted as follows:

- P. Zelif - N/A (Attendance location not disclosed in public notice)
- C. Yunker - Yes
- M. Clattenburg – Yes
- C. Kemp - Yes

The item was approved as presented.

3. Discussions / Official Recommendations to the Board:

3a. O’Connell Electric Substation Contract – O’Connell Electric has prepared a proposal to complete the construction of the substation. The reasons for utilizing O’Connell for this work are as follows:

1. They are already on-site doing work for another entity.
2. The project cannot withstand the delay that an RFP process would entail.
3. A second electrical firm would lead to confusion and finger pointing about any work quality or timeliness issues.
4. They are familiar with NYPA specifications and their engineering team as well since they have been working on this project with them.

Fund Commitment: \$31 million to be included in the \$56 million FAST NY award

Board Action Request: Recommend approval to the full Board of O’Connell Electric contract not to exceed \$31 million.

Resolution No. 10/2024 - 01

RESOLUTION (i) TAKING OFFICIAL ACTION TOWARD AND APPROVING THE PROCUREMENT OF CONSTRUCTION SERVICES (THE “SERVICES”) RELATING TO THE AGENCY’S STAMP PROJECT, (ii)

AUTHORIZING THE EXECUTION AND DELIVERY OF A CONSTRUCTION CONTRACT AND RELATED DOCUMENTS WITH RESPECT TO THE SERVICES (THE “CONTRACT”), (iii) AUTHORIZING THE EXPENDITURE OF THE NECESSARY FUNDS OF THE AGENCY WITH RESPECT TO THE SERVICES, AND (iv) AUTHORIZING THE TAKING OF OTHER ACTION IN CONNECTION THEREWITH.

C. Kemp made a motion to recommend to the full Board the approval of the O’Connell Electric Substation Contract not to exceed \$31M as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Zelif - N/A (Attendance location not disclosed in public notice)
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3b. Facilities Study for National Grid – The SIS study for the additional 300 MW off the NYPA 345 kv line has been completed. The next step is that a Facilities Study is completed on the proposed increase of 300 mw to the substation. National Grid will complete the study and is requesting a deposit of \$50,000 for this work.

Fund commitment: \$50,000 covered under the existing \$56 million FAST NY award or the \$8 million grant.

Committee action request: Recommend approval to the full Board to pay \$50,000 for the Facilities Study Agreement and signing of the agreement.

M. Clattenburg made a motion to recommend to the full Board the approval of the Facilities Study for National Grid not to exceed \$50,000 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zelif - N/A (Attendance location not disclosed in public notice)
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3c. Project Rampart Lead Agency – Included in the meeting materials is the SEQR Lead Agency Resolution. The GCEDC must send letters indicating intent to maintain lead agency status regarding Project Rampart to all interested and involved parties. This starts the 30-day time in which interested and involved agencies have an opportunity to respond. As lead agency the GCEDC is required to evaluate whether there are adverse environmental impacts that could occur because of Project Rampart and the additional and/or modified infrastructure that have not been previously evaluated in the STAMP environmental record.

Resolution No. 10/2024-02

DRAFT

RESOLUTION DECLARING THE INTENT OF THE GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER TO ACT AS LEAD AGENCY PURSUANT TO THE STATE
ENVIRONMENTAL QUALITY REVIEW ACT

M. Clattenburg made a motion to move this agenda item “Project Rampart Lead Agency’ to the full Board for consideration without a recommendation; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zelif - N/A (Attendance location not disclosed in public notice)
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The motion was approved.

3d. Project Rampart Access Agreement – Phillips Lytle has prepared for the GCEDC an Access License Agreement to allow Project Rampart and their agents to enable their due diligence on GCEDC owned property for their proposed facility until that work is complete or a Purchase and Sale Agreement is executed. Any contractors would be required to sign indemnity agreements, provide proof of insurance and list the GCEDC as an additional insured on their policy with the applicable coverage limits as set forth by the GCEDC.

Fund Commitment: None.

Committee Action Request: Recommend approval of Access License Agreement.

M. Clattenburg made a motion to move this agenda item “Project Rampart Access Agreement” to the full Board for consideration without a recommendation; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zelif - N/A (Attendance location not disclosed in public notice)
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The motion was approved.

3e. Draft Escrow Agreement - Due to the current interest in the STAMP site by data centers looking at overlapping acreage, it would be prudent for the Board to require these projects to enter into an agreement to cover the costs incurred by the GCEDC regarding their projects.

Fund Commitment: None.

Committee Action Request: Recommend approval of the draft agreement for the payment of project evaluation expenses attached.

M. Clattenburg made a motion to recommend to the full Board the approval of the Draft Escrow Agreement as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zelif - N/A (Attendance location not disclosed in public notice)
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3f. Proposals from Consultants for Data Centers - Due to the current interest in the STAMP site by data centers, it would be prudent for the Board to engage with a consultant who can help review potential data center projects to ensure that the goals of the GCEDC and the STAMP site are achieved.

Fund Commitment: None.

Committee Action Request: Recommend approval of distributing a request for information to potential third-party consultants to advise on data center projects.

Resolution No. 10/2024-03

RESOLUTION DECLARING THE INTENT OF THE GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER TO REQUEST INFORMATION FROM THRID PARTY CONSULTANTS
TO EVALUATE PENDING DATA CENTER PROJECTS

M. Clattenburg made a motion to recommend to the full Board the approval of a Request for Information from Consultants to advise on Data Center projects as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Zelif - N/A (Attendance location not disclosed in public notice)
C. Yunker - Yes
M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3g. Phillips Lytle – FOIL Services – L. Farrell stated that there is a proposal from Phillips Lytle included in the packet for FOIL services related to STAMP that is not to exceed \$10,000.

C. Kemp made a motion to recommend to the full Board the approval of the Phillips Lytle Contract for FOIL services not to exceed \$10,000; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Zelif - N/A (Attendance location not disclosed in public notice)
C. Yunker - Yes
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 9:02 a.m., seconded by M. Clattenburg and passed unanimously.