



**GCEDC Board Meeting
Thursday, June 6, 2024
Location: 99 MedTech Drive, Innovation Room
4:00 PM**

GCEDC MINUTES

Attendance

Board Members: K. Manne, M. Clattenburg, P. Zelif, C. Kemp, P. Battaglia (Video Conference*), M. Gray, C. Yunker
Staff: M. Masse, L. Farrell, E. Finch, C. Suozzi, P. Kennett, L. Casey
Guests: M. Brooks (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), G. Torrey (GGLDC Board Member), R. Gaenzle (Harris Beach/Video Conference)
Absent:

*Attending from a physical location identified in the meeting notice as open to the public.

1.0 Call to Order

P. Zelif called the meeting to order at 4:01 p.m. in the Innovation Zone.

1.1 Enter Executive Session

M. Gray made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 4:18 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 C. Yunker and approved by all members present.

1.2 Enter Public Session

C. Yunker made a motion to enter back into public session at 4:28 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, July 11th at 4:00 p.m.

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

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

There has been a request to add an Employment & Compensation Committee Meeting on Thursday, July 11th at 3 p.m.

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

2.3 Minutes: May 2, 2024 –

M. Gray made a motion to accept the May 2, 2024 minutes as presented; the motion was seconded by K. Manne. Roll call resulted as follows:

P. Battaglia -	Yes (Video Conference*)	C. Yunker -	Yes
K. Manne -	Yes	P. Zeff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

3.0 Report of Management

3.1 GE Bergen Owner LLC – Initial Resolution – GE Bergen Owner, LLC is building a 196,000-sf facility at Apple Tree Acres in Bergen.

The \$43.6 million project proposes creating 60 new full-time equivalent (FTE) positions and retaining 140 FTE's.

The project is requesting assistance from the GCEDC with a sales tax exemption estimated at \$1,752,000, a property tax abatement estimated at \$2,151,294 via new traditional PILOT, and a mortgage tax exemption estimated at \$366,000.

Resolution No. 06/2024 - 01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF GE BERGEN OWNER, LLC 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.

C. Yunker made a motion to approve Initial Resolution #06/2024-01, authorizing the acceptance of the application and scheduling of the public hearing for GE Bergen Owner LLC as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes (Video Conference*)	C. Yunker -	Yes
K. Manne -	Yes	P. Zeff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.0 Audit & Finance Committee

4.1 April 2024 Financial Statements – L. Farrell reviewed the significant items of the April 2024 financial statements.

- There was a decrease in accounts payable of about \$100,000. We were still paying 2023 expenses in April, including STAMP expenditures through a GURF that was submitted in April.
- A customer deposit was collected from MedTech Landing, LLC for local labor monitoring and reporting services. To date, two companies, Edwards and MedTech Landing, have paid deposits that will cover local labor consulting fees.
- On the P&L, the MedTech Landing project closed. We received a project origination fee of nearly \$190,000 for this transaction.
- Normal monthly expenditures.

The April 2024 financial statements were recommended for approval by the Committee.

K. Manne made a motion to approve the April 2024 Financial Statements as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

P. Battaglia -	Yes (Video Conference*)	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.2 Appletree Acres PSA Amendment - Remlap has a current purchase and sale agreement for approximately 3 acres (1 buildable) at Apple Tree Acres Corporate Park for \$250,000. They would like to have an extension of time on the PSA as they are currently going through the Town’s site plan review process.

The amendment extends the due diligence period for 90 days (August 24, 2024) for an additional \$20,000. Previously, the company paid a \$15,000 non-refundable deposit. All earnest money on deposit will be applied to the purchase price upon closing.

Fund Commitment: None.

Committee Action Request: Recommend approval of PSA extension.

This was recommended for approval by the Committee.

K. Manne made a motion to approve the Appletree Acres PSA Amendment as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes (Video Conference*)	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

4.3 Local Labor Contract - Loewke Brill Consulting Group, Inc. has been the GCEDC's consultant who assists with the monitoring and reporting of company's compliance with the local labor policy. The Board has determined that companies need to provide the GCEDC with a deposit that will cover the costs of these services. Any amount not utilized will be returned to the company.

The following fee is based on the company's project description, timeline and capital investment as provided in the application for incentives.

Project: GE Bergen Owner, LLC

Fund Commitment: \$17,950 to be paid out of deposit

Committee Action Request: Recommend to the full Board approval of the contract with Loewke Brill contingent upon receipt of the deposit from the project.

This was recommended for approval by the Committee.

K. Manne made a motion to approve the Loewke Brill Contract for the GE Bergen Owner, LLC project as presented; the motion was seconded by P. Zelif. Roll call resulted as follows:

P. Battaglia -	Yes (Video Conference*)	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

5.0 Governance & Nominating Committee – C. Yunker

The Board voted on agenda items 5.1 through 5.3 collectively. The approval for these items follows agenda item 5.3. The Committee recommended these items for approval.

5.1 Procurement Policies & Procedures – This policy is required to be reviewed annually. There are no changes being recommended.

5.2 Investment Policy - This policy is required to be reviewed annually. There are no changes being recommended.

5.3 Disposition of Property Guidelines – This policy is required to be reviewed annually. There are no changes being recommended.

C. Yunker made a motion to approve agenda items 5.1- 5.3 as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes (Video Conference*)	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

6.0 STAMP Committee – P. Zelif

6.1 O’Connell Electric Proposal for Substation – O’Connell Electric has prepared a proposal to complete the design and engineering and review of the high side of the substation (NYPA) that is related to the control house and installation of the control house. 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 since they have been working on this project with them

Fund Commitment: \$3,430,350 to be included in the \$56 million FAST NY award and we would use operating funds to pay until FAST NY funds become available.

Board Action Request: Recommend approval to the full Board of the O’Connell Electric contract not to exceed \$3,430,350.

This contract is related to design and engineering professional services only.

This was recommended for approval by the Committee.

P. Zelif made a motion to approve the O’Connell Electric Proposal for Substation as presented; the motion was seconded by M. Gray. Roll call resulted as follows:

P. Battaglia -	Yes (Video Conference*)	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

6.2 Phillips Lytle Fees - Phillips Lytle has prepared a proposal to cover the scope of work for the remainder of 2024 as it relates to Tech Team support for the offsite sewer permitting and wetland permitting, the wastewater treatment facility permitting, and force main installation. At the STAMP Committee meeting, M. Fitzgerald stated that the last increase to the contract was for services provided through the end of 2023, but Phillips Lytle was able to stretch it to mid-2024. Phillips Lytle *hopes* that they can stretch this increase to the contract beyond the end of 2024 for 12 months.

Fund Commitment: Not to exceed \$500,000 to be included in the \$33 million.

Board Action Request: Recommend approval to the full Board the Phillips Lytle contract not to exceed \$500,000.

This was recommended for approval by the Committee.

M. Clattenburg made a motion to approve the Phillips Lytle Fees not to exceed \$500,000 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes (Video Conference*)	C. Yunker -	Yes
K. Manne -	Yes	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

6.3 Access Agreement for Edwards Vacuum - As part of their construction of their manufacturing facility, Edwards (Geis) would like to access their site via the hammerhead off STAMP Drive. There is a small (approximately 200 ft by 200 ft) area that is owned by the GCEDC. This Access Agreement allows Edwards (Geis) to install a stone road across this parcel to connect the hammerhead to their site.

Fund Commitment: None.

This was recommended for approval by the Committee.

P. Zeliff made a motion to approve the Access Agreement for Edwards Vacuum (Geis) as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Battaglia -	Yes (Video Conference*)	C. Yunker -	Yes
K. Manne -	Yes	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

7.0 Employment & Compensation – M. Gray

7.1 Nothing at this time

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

DRAFT

As there was no further business, M. Gray made a motion to adjourn at 4:37 p.m., which was seconded by C. Yunker and passed unanimously.