



GCEDC STAMP Committee Meeting

Wednesday, July 31, 2024

Location: 99 MedTech Drive, Innovation Zone

8:00 a.m.

MINUTES

ATTENDANCE

Committee Members: M. Clattenburg, C. Kemp, C. Yunker, P. Zelif

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

Guests: R. Crossen (Town of Alabama Supervisor), M. Fitzgerald (Phillips Lytle), A. Kosa (CPL)

Absent:

1. Call to Order / Enter Public Session

P. Zelif called the meeting to order at 8:00 a.m. in the Innovation Zone.

1a. Executive Session

C. Yunker made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 8:01 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.

1b. Re-Enter Public Session

C. Yunker made a motion to enter back into public session at 8:20 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: July 10, 2024

M. Clattenburg made a motion to approve the July 10, 2024, minutes; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Zelif - Yes

C. Yunker - Yes

M. Clattenburg – Yes
C. Kemp - Yes

The item was approved as presented.

3. Discussions / Official Recommendations to the Board:

3a. SEQR Approval Resolution – M. Masse presented the updated SEQR Resolution that includes updates that were not originally contemplated under the original Environment Impact Study (EIS). These updates include the remainder of the Crosby Road rebuild, the potential roundabout of the intersection of Lewiston and Crosby, a water tank that will help serve fire suppression needs for Edwards, and a force main to handle sanitary sewer to Oakfield.

The GCEDC sent letters indicating their intent to maintain lead agency status to all interested and involved parties about a month ago. M. Fitzgerald stated that a letter was received from the Tonawanda Seneca Nation in response. No other agencies have replied to that letter, but the Nation indicated that they did not want the GCEDC to serve as lead agency for the review. M. Fitzgerald stated that the GCEDC would be the most able entity to implement any mitigation, control development and is the best agency to serve as lead agency. While we appreciate the correspondence, the recommendation would be that GCEDC proceed as the lead agency. The Resolution goes through all the relevant areas of environmental concern, and it concludes that there are no new significant adverse impacts from the proposed developments.

The resolution included with the meeting materials includes the timeline and record of previous action taken on SEQR by the GCEDC as Lead Agency. The resolution also describes the scope of the items analyzed under this SEQR review and outlined by M. Masse above.

Having considered the Environmental Information, STAMP Environmental Record, and having considered the relevant environmental impacts, associated with the Current Proposed STAMP Development, and having weighed and balanced the relevant impacts with social, economic and other considerations, the Agency recertifies that:

- (i) The requirements of 6 N.Y.C.R.R. Part 617 have been met; and
- (ii) Consistent with the social, economic and other essential considerations from among the reasonable alternatives available, the Project remains one which avoids or minimizes adverse environmental effects to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures which were identified as practicable.

Fund commitment: None.

Committee action request: Recommend to the full Board that the Agency adopt by a majority vote the Negative Declaration (as defined in 6 N.Y.C.R.R. 617.2(y)), and is issued by the Agency pursuant to and in accordance with SEQRA, shall take effect immediately.

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER TO ISSUE A NEGATIVE DECLARATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT CONCERNING CERTAIN INFRASTRUCTURE MODIFICATION AT THE WESTERN NEW YORK SCIENCE & TECHNOLOGY ADVANCED MANUFACTURING PARK

C. Kemp made a motion to recommend to the full Board the approval of the SEQR Approval Resolution #08/2024-06 as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

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

The item was approved as presented.

3b. CPL Contract Force Main to Oakfield – The Edwards Genesee project needs the design, engineering and construction of certain onsite utilities to support their new facility at STAMP. These improvements will include roadways, water lines, an onsite water storage tank and wastewater lines.

Fund Commitment: \$1,961,925 from the \$56M NYS award or GCEDC matching funds.

Committee Action Request: Recommend approval of the proposal from Clark Patterson Lee to prepare the design, engineering and permitting for a force main to the Oakfield WWTF.

A. Kosa from CPL reviewed the contract in detail.

A. Kosa stated that for the Oakfield force main it is about 47,000 linear feet which is about 8 or 9 miles. This includes two pump stations. One main pump station would be on the STAMP site. The other would be strategically located halfway in between for future development within the town. CPL's proposal includes all the surveys and necessary mapping to complete the project. There are permits and approvals to obtain which will require considerable coordination with the Town, County and DEC. Preliminary and final design is included. Also included is any coordination with the Village of Oakfield as there may be some flow monitoring involved. CPL is conceptually trying to figure out the best route within the village. For contractors, geotechnical is included. There is additional work to do for cultural research investigation. Portions of the route, due to the previous water main projects, have been covered but there are areas that were not investigated so time and costs for this have been included. The contract also includes bidding, construction administration and construction observation. CPL anticipates about 12 months of construction so the contract accounts for a full-time inspector to handle any construction challenges. Directional drilling is planned for all creek beds to hopefully avoid permitting issues as well.

C. Yunker made a motion to recommend to the full Board the approval of the CPL Contract Force Main to Oakfield not to exceed \$1,961,925 as presented; the motion was seconded by M. Clattenburg. Roll call resulted as follows:

P. Zelif - Yes

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

The item was approved as presented.

3c. CPL Contract for Onsite Water Tank – The Edwards Genesee project needs the design, engineering and construction of certain onsite utilities to support their new facility at STAMP. These improvements will include roadways, water lines, an onsite water storage tank and wastewater lines.

Fund Commitment: \$316,470 from the \$56M NYS award or GCEDC matching funds.

Committee Action Request: Recommend approval of the proposal from Clark Patterson Lee to prepare the design, engineering, bid packages and construction inspection for a 500,000-gallon water storage tank to support Edwards, Plug and other tenants at the STAMP site.

A. Kosa from CPL reviewed the contract in detail and stated that the contract is for a 500,000-gallon water tank to support Edwards and other potential tenants that might need fire suppression at the STAMP site. The contract includes survey and mapping, preliminary and final design, permits and approvals, bidding, construction administration and construction observation for about a 20-week construction schedule. There will be an inspector there for multiple projects, so it will be included as part time.

P. Zelif asked if it would be advantageous to the County's water problems to have a flow through tank in the system. M. Masse stated that there have been conversations with the County, and they have long term plans for a tank at some point, but they are not there yet. The County also wanted to do an elevated Tank on Town property. M. Masse also stated that as part of the approval that Edwards got from the Town, their Certificate of Occupancy is contingent upon this tank, and they needed capacity of at least 120,000 gallons dedicated to Edwards. A. Kosa, as a follow-up to P. Zelif's question, also stated that internally that conversation has occurred. There are a couple of options but there is a meeting next week where it can be discussed again with the relevant parties.

M. Clattenburg made a motion to recommend to the full Board that the approval of the CPL Contract for the Onsite Water Tank not exceed \$316,470 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

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

The item was approved as presented.

3d. Cost Reimbursement Agreement with NYPA – Included in the meeting materials is a Cost Reimbursement Agreement (CRA) with NYPA for the review of the design and engineering for the control house on the NYPA side of the substation at the STAMP site. Operating Funds will be used to reimburse ourselves as NYPA will not start any work until they receive funds.

Fund commitment: \$250,000 included in the \$56 million; however, operating funds will be used to pay NYPA now. The GCEDC will be reimbursed from the \$56M FAST NY grant when funds are available.

Committee action request: Recommend approval to sign CRA not to exceed \$ 250,000.

C. Yunker made a motion to recommend to the full Board the approval of 1) the Cost Reimbursement Agreement and 2) payment to NYPA not to \$250,000 as presented; the motion was seconded by C. Kemp. Roll call resulted as follows:

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

The item was approved as presented.

4. Adjournment

As there was no further business, C. Yunker made a motion to adjourn at 8:33 a.m., seconded by M. Clattenburg and passed unanimously.