

BATAVIA DEVELOPMENT CORPORATION (BDC)
Meeting Minutes October 24, 2018

Attendance

BDC Attendees: Pier Cipollone, Wesley Bedford, Nate Varland, Rebecca Cohen, Martin Moore, Steve Pies, Peter Casey, Chris Fix and Rachael Tabelski (Director of Economic Development)
Excused: Lori Aratari
Guest/Media: Matt Gray, Eli Fish Brewing Co., Barb Shine, former GCC Professor of Business, Johnathan Tretter, Freed Maxick CPA's, Brian Quinn, The Batavia Daily News

Call to Order

At 8:33 a.m. Pier Cipollone, President of the BDC, called the meeting to order in the Community Room, 2nd floor of City Hall.

Enter Executive Session

S. Pies made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 8:36 a.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.

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

Enter Public Session

C. Fix made a motion to enter back into public session at 9:25 a.m., seconded by W. Bedford and approved by all members present.

Chairman's Report:

P. Cipollone announced that the next meeting of the BDC is scheduled for; November 28th, 2018 at 8:30 a.m. at City Hall. The board will move the December meeting to Wednesday the 19th from its original date of December 26th.

P. Cipollone presented the meeting minutes from the previous meeting and N. Varland made a motion to approve the September 26, 2018 meeting minutes as presented; seconded by P. Casey and approved by all members present.

P. Cipollone announced that the Audit & Finance Committee will be meeting on November 15th at 3pm for a budget workshop. All board members are welcome to attend.

Committee Reports:

Governance:

BDC Sexual Harassment Policy- Governor Cuomo and New York State are leading the nation with new laws to combat sexual harassment in the workplace as part of the 2018 Women's Agenda for New York: Equal Rights, Equal Opportunity. On April 12, Governor Cuomo signed into law the 2019 New York State Budget, updating the State's sexual harassment laws. Every employer in the New York State is required to adopt a sexual harassment prevention policy. The BDC did not have an existing policy so we mirrored the State's recommended policy. M. Moore made a motion to approve the Sexual Harassment Policy; seconded by C. Fix and approved by all members present.

Audit and Finance:

Financial Statements- The September 2018 financial statements were reviewed with the board, and a brief overview was given. R. Tabelski reported that BDC is working on the 2019-2020 budget for the organization. With the current six-month projections, it looks the like agency will go over budget for professional service due to the activity of setting up

the Creek Park Batavia LLC., and for contracting for services during the change of directors in the spring and summer. The projections show that the agency is expected to be under budget in salary. At the next meeting the board will see the 2019-2020 budget, as well as a budget amendment to reflect the \$600,000 Batavia DRI- building Improvement Fund grant award. M. Moore made a motion to approve financial statements; seconded by W. Bedford and approved by all members present.

Real Estate/ BOA:

BDC BP2 Certificate of Consistency for Savarino Companies/ Ellicott Station- As Savarino Companies continues to work with the Genesee County Economic Development Center (GCEDC) on a modified Payment-in-lieu-of-taxes (PILOT) agreement, the Batavia Development Corporation (BDC) reviewed, and consider an amended application for Batavia Pathway to Prosperity (BP2) fund as part of the project incentive. An unprecedented Batavia Pathway to Prosperity (BP2) policy was instituted in March 2016 following months of dialogue between City and County officials. Each taxing jurisdiction agreed to repurpose a share of future PILOT payments to leverage private investment made in the City's central corridor, a unique incentive to advance redevelopment. A five-partner strategic alliance was created for program implementation between Genesee County, City of Batavia, Batavia City School District, GCEDC and the BDC.

In this case the developer is seeking reimbursement for extraordinary redevelopment costs and infrastructure improvements. Funds will be reimbursed annually upon proof of PILOT payment and proper documentation of eligible expenses incurred and paid.

The Board determined that the project meets the following eligibility criteria necessary to be approved.

1. Located in the City of Batavia's designated Brownfield Opportunity Area (BOA)
2. Project expenses include infrastructure improvements and extraordinary redevelopment investments as categorized by the PB2 Agreement.
3. The GCEDC has confirmed sufficient BP2 funds will be available for the project, or that this project will produce its own PILOT revenue that may be reinvested into their specific project.

C. Fix made a motion to issue a Certificate of Consistency for Savarino Companies/ Ellicott Station; seconded by M. Moore and approved by all members present.

Ellicott Station Resolution- A resolution was presented to extend the term of the notes of the sale of the Ellicott Station LLC. until February 28, 2019 as Savarino Campines continues to finalize their funding for the mixed-use brownfield redevelopment. P. Casey made a motion to approve the Ellicott Station Resolution to extend notes; seconded by M. Moore and approved by all members present.

Small Business:

FreshLAB Update- R. Tabelaški gave an update on the FreshLAB concept and businesses. The City of Batavia's CZB Report said that Genesee County eating and drinking sales leakages top \$12 million wherein the Downtown merely captures 8% of total sales. Experts say this is a low capture for a place that is the government and economic center of the County; strong business districts should capture 20%. Entertainment spending is another \$17 million untapped opportunity in Batavia.

To begin to change this trend the BDC entered into an agreement with AGRV Properties (Matt Gray) to house and support restaurant incubators. FreshLAB was born and several potential restaurant start-ups were put through a rigorous boot camp training and two winners were selected to move into space inside the restaurant incubator that has a fully equipped kitchen (USDA grant). The businesses were also given a \$10,000 grant from the "old" Micro Enterprise grant program and a loan from the City/BDC Revolving Loan fund (\$20,000). Eden Café has been in business for six months and the Wild Rican for five months. To date they have all made on-time payments on their loans.

R. Choen suggested that she could assist the FreshLAB and other individual businesses with media planning and social media calendars, or in other ways. She will be included as a new member of the small business workgroup. Board members also discussed the ability to have college interns or design students help the kitchens with their menus, and that more signage in the back could be beneficial. P. Cipollone plans to follow up.

N. Varland asked what board members could do to help the FreshLAB businesses as well as other businesses that work with the BDC. He will be invited to join the Small Business Committee.

Old Business

None to report.

New Business

None to report.

Adjournment

S. Pies made a motion to adjourn the meeting; seconded by N. Varland and approved by all member present. The meeting stood adjourned at 9:50 a.m.