



**ECONOMIC DEVELOPMENT CORPORATION**

**BOARD MEETING**

May 10, 2022 8:30 a.m.

Economic Development Conference Room at 20 Ontario St., Canandaigua, NY 14424 or via Zoom:

<https://us02web.zoom.us/j/82419460581?pwd=SGxTRDhhUFBDby9BZEIGMjFFdEUvdz09>

<b>AGENDA ITEM</b>	<b>POTENTIAL OUTCOME</b>	<b>PERSON RESPONSIBLE</b>
<b>Call to Order</b>	Quorum Present?	Rob Solenne
<b>Old Business:</b>		
Agro Research request	Resolution to defer principal and interest for six months	Michael Wojcik
FLX Goods	Resolution to extend commitment	Ed Russell
Report on job numbers	Inform Board of status	Jessica Kazmark
CDBG CARES Act funding	Update Board on status	Sue Vary
Economic Developer search	Update Board on status	Rob Solenne
Hybrid meeting	Resolution to allow	Ed Russell
Pipeline update	Inform Board of status	Sue Vary/Ed Russell
<b>Administration:</b>		
April 19, 2022 Meeting Minutes	Motion to approve minutes as written	Rob Solenne
Bills for payment	Motion to approve payments	Michael Wojcik
Informational Reports: Financial statements Investment Report	Motion to accept reports	Michael Wojcik
Open Discussion	Update Board/staff	Rob Solenne
<b>Adjournment</b>	Motion to adjourn	Rob Solenne

Next Regular Meeting is June 14, 2022

<b><u>Quorum (confirmation required):</u></b>	<b><u>Members Excused:</u></b>
Robert Solenne, Chair	
Erica Wright, Vice-Chair	
Karen Parkhurst	
Lynn Freid	
Supervisor Peter Ingalsbe	<b><u>Guests:</u></b>
Kevin Hill, Treasurer	
Walt Matyjas	
Supervisor Frederick Wille	
David Linger	
Joseph Bridgeford	
Supervisor Fred Lightfoote	
<b><u>Staff</u></b>	<b><u>Contract Staff:</u></b>
Michael Wojcik, CFO	Ed Russell, III, Underberg & Kessler
Suzanne Vary, Interim Executive Director	Mike Malikowski, consultant
Brigitte Larson, Secretary	

Jessica Kazmark, Staff	
Bob Mincer, Staff	

Ontario County Economic Development Corporation

ONTARIO COUNTY ECONOMIC DEVELOPMENT CORPORATION  
 20 ONTARIO STREET, SUITE 106B  
 CANANDAIGUA, NY 14424

Job Report

Company Name	Total	Original loan	Closing Date	Beginning Job Numbers	Total Job Target	12/31/2021 Job Numbers	Report for Period Ending	Deadline
Rochester Regional Recycling Recovery (WAM) (EWASTE+)	139,720.92	\$400,000	10/29/2010	63	75	108	12/31/2021	Original Target Exceeded
Surmotech	392,847.91	\$400,000	1/28/2014	48	52	107	12/31/2021	Original Target Exceeded
BioWorks, Inc. Loan #2	141,547.47	\$200,000	5/30/2015	25	29	40	12/31/2021	Original Target Exceeded
Zoetek	181,779.60	\$400,000	9/25/2015	25	31	20	12/31/2021	Jobs Met in April 2018
Grossglockner/Artisan Meats	83,001.77	\$400,000	12/10/2015	15	22	31	12/31/2021	Original Target Exceeded
Young Lion Brewing Co.	181,163.56	\$400,000	2/2/2017	1	20	12	12/31/2021	Per Jennifer Newman 5/3/22 - Currently 22 employees on the payroll, includes full time and part time. One job posted currently.
Construction Robotics	158,449.64	\$400,000	10/24/2017	17	28	26	12/31/2021	Per Zak P - Currently looking for a Purchasing Person & Business Development Manager
The VE Group - LaBarge	116,747.13	\$175,000	8/14/2018	10	12	8	12/31/2021	August 2021
AGRO	42,416.53	\$80,837	8/28/2018	1	6	0	12/31/2021	
Vertex Optics	368,000.00	\$300,000	1/11/2019	0	8	16	12/31/2021	Original Target Exceeded
Star Cider	16,540.51	\$20,000	2/5/2019	0	4	7	12/31/2021	Original Target Exceeded
Real Eats	122,766.28	\$200,000	4/26/2019	30	88	171	12/31/2021	Original Target Exceeded
Real Eats OCR	562,723.29	\$450,000	4/26/2019	30	88	171	12/31/2021	Original Target Exceeded
Assured Edge Solutions	94,147.86	\$100,000	7/2/2019	2	10	12	12/31/2021	Original Target Exceeded
Z-Axis CDBG	332,907.76	\$359,000	3/6/2020	80	105	89	12/31/2021	2023
Z-Axis 2020	92,731.99	\$100,000	3/6/2020	80	105	80	12/31/2021	2023
Timberline	78,323.45	\$90,000	4/17/2020	15	18	11	12/31/2021	2023
NextGen	290,198.54	\$306,000	9/14/2020	52	94	57	12/31/2021	2023
GIZMO	82,339.71	\$86,500	2021	7	11	10	12/31/2021	2024
Engine 14	94,853.04	\$100,000	2021	0	8	0	12/31/2021	Not open yet, planning on opening
Skywalker/Tactical	145,529.87	\$150,000	2021	35	56	43	12/31/2021	2024
Poseidon	401,000.00	\$400,000	2021	22	60	24	12/31/2021	2024
<b>TOTALS</b>				<b>558</b>	<b>930</b>	<b>1043</b>		

Applicant	Municipality	Application Complete	Project Memo	Approval	Award Letter	Grant Agreement	Signed Agreement	Amount	Environmental Review
Cosentino's	City of Geneva	X	X	X	X	X	X	\$60,000	X
Baier Foods (Cornerstone Market)	Richmond	X	X	X	X	X	X	\$40,000	X
Bella's Sicilian	City of Geneva	X	X	X	X	X	X	\$60,000	X
Birdhouse Brewing	Richmond	X	X	X	X	X	X	\$60,000	X
Dainty Donuts	Town of Canandaigua	X	X	X	X	X	X	\$20,000	X
11 Lakes Restaurant Group (Kindred Fare)	Town of Geneva	X	X	X	X	X	X	\$60,000	X
5 Kinder Farm (Inspire Moore Winery)	Naples	X	X	X	X	X	X	\$40,000	X
Monaco (Geneva) Coffee	City of Geneva	X	X	X	X	X	X	\$60,000	X
Kettle Ridge Farm	Victor	X	X	X	X	X	X	\$40,000	X
Mac Philly - Canndaigua	City of Canandaigua	X	X	X	X	X	X	\$40,000	X
Mac Philly-Victor	Victor	X	X	X	X	X	X	\$60,000	X
Reinvention Brewing	Manchester	X	X	X	X	X	X	\$20,000	X
Rusty Pig	City of Geneva	X	X	X	X	X	X	\$20,000	X
Seneca Lake Pizza	City of Geneva	X	X	X	X	X	X	\$60,000	X
Simply Crepes	City of Canandaigua	X	X	X	X	X	X	\$60,000	X
Twisted Rail Brewery	Richmond, Geneva, Canandaigua	X	X	X	X	X		\$60,000	
Waterside Wine Bar	Phelps	X	X	X	X	X	X	\$20,000	X
Mill Creek	Richmond	X	X					\$40,000	
Bob and Ruth's	Naples	X						\$60,000	
<b>TOTAL</b>								<b>\$880,000</b>	
<b>Pipeline</b>									
Finger Lakes BBQ	Town of Canandaigua	X						\$60,000	
Cella Inc dba Villager Restaurant	City of Canandaigua	X						\$60,000	
Ravenwood Golf	Victor	X						\$60,000	
Noble Shephard	Bristol	X						\$60,000	
The North Farm	Town of Geneva							\$60,000	
<b>Declined</b>									
Mary and Ruth LLC	Town of Canandaigua	X	X					\$60,000	
Papa Jack's Ice Cream	Victor	X	x					\$60,000	

## Written Procedures for Meetings Held Via Videoconferencing

The following procedures shall govern any public meetings of the Ontario County Economic Development Corporation (the “Corporation”), including all committee meetings, held via videoconferencing:

- A. In the case of a state disaster emergency declared by the State or a local state of emergency proclaimed by Ontario County, which impairs the ability of the Corporation to hold an in-person meeting, a meeting of the Board of Directors of the Corporation (the “Board”) may be held solely via videoconferencing.
- B. In all other cases, at the discretion of the Chair of the Board, individual Board members may attend a meeting via videoconferencing due to extraordinary circumstances provided, however, that such Board member’s remote attendance shall comply with all relevant laws related to remote attendance and that all meetings shall have the minimum number of Board members physically present at a location where the public can attend in order to fulfil the Board’s quorum requirement.
- C. Notice for any meeting that will be held via videoconference, other than for State or local emergency, shall inform the public (1) that videoconferencing will be used; (2) how to access and/or participate in the meeting; (3) where required documents and records will be posted or otherwise available; and (4) of the physical location of the meeting is to be held. The notice shall be posted on the Corporation’s official website.
- D. All members shall be seen and heard while the meeting is being conducted.
- E. In all instances where public comment or participation is permitted and/or required, members of the public shall be able to view and participate in the meeting via videoconferencing in real time. There shall be no difference in the level of participation for members of the public who chose to attend via videoconference as for members of the public who chose to attend the meeting in person.
- F. The minutes of any meetings held via videoconferencing shall include which Board members, if any, participated remotely and shall be available to the public.
- G. All meetings held via videoconferencing shall be recoded and the recordings shall be posted on the Corporation’s official website within five business days following the meeting. The recordings shall remain available on the Corporation’s official website for five years following the meeting and shall be transcribed upon request.

RESOLUTION TO AUTHORIZE THE USE OF  
VIDEOCONFERENCING FOR PUBLIC MEETINGS

MAY 10, 2022

WHEREAS, the Ontario County Economic Development Corporation (the “Corporation”) is a public body which falls within the scope of the Open Meetings Law; and

WHEREAS, Section 103-A of the Open Meetings Law has been revised to allow a public body to, in its discretion, conduct its meetings via videoconferencing provided that certain requirements found in the statute are satisfied;

WHEREAS, Section 103-A of the Open Meetings Law requires that the Corporation pass a resolution, following a public hearing, authorizing the use of videoconferencing to conduct its meetings; now therefore be it

RESOLVED, that the members of the Corporation find it in the best interest of the Corporation and the public to use videoconferencing to conduct its meetings under certain circumstances, as outlined under the written procedures; and further

RESOLVED, that Corporation hereby authorizes, for itself and any committees and subcommittees, the use of videoconferencing, in the discretion of the Corporation, to conduct its meetings; and further

RESOLVED, that the Corporation shall establish written procedures governing member and public attendance consistent with the requirements of the Open Meetings Law and post such written procedures on the Corporation’s official website; and further

RESOLVED, that this Resolution shall take effect immediately.

CERTIFICATION

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF ONTARIO )

I, the undersigned Director of the Ontario County Economic Development Corporation, certifies under penalty of perjury as follows:

1. I have compared the foregoing copy of the Resolution of the Ontario County Economic Development Corporation (the "Corporation") with the original thereof on file in the office of the Corporation.

2. The aforesaid copy is a true and correct copy of such Resolution and of the proceedings of the Corporation in connection with such matter.

3. Such Resolution was adopted at a regularly scheduled public meeting of the Corporation occurring on May 10, 2022 at 8:30 a.m. at the Economic Development Conference Room, at which the following members were:

Present:

Absent:

Also Present:

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call which resulted as follows:

<u>YEA</u>	<u>NEA</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]
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The Resolution was thereupon duly adopted.

4. That the Corporation Documents, to which the Corporation is a party contained in this transcript of proceedings, are each in substantially the form presented to the Corporation and/or approved by said meeting.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with the New York Open Meetings Law,

constituting Chapter 132 of the Laws of 1973 of the State of New York, that all members of said Corporation had due notice of said meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand as of \_\_\_\_\_, 2022.

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Name:  
Title:





ECONOMIC DEVELOPMENT CORPORATION

Tuesday, April 19, 2022

<b>Board Members Present</b>	<b>Board Members Excused</b>
Robert Solenne, Chair	Supervisor Fred Lightfoote
Erica Wright, Vice Chair	
Joseph Bridgeford	
Supervisor Peter Ingalsbe	
Karen Parkhurst	
Lynn Freid (via Zoom)	<b>Guests</b>
Supervisor Fred Wille	Michael Sykes, OC Workforce Development (via Zoom)
Kevin Hill, Treasurer	Marc LaJeunesse, Agro Research (via Zoom)
David Linger	
Walt Matyjas	
<b>Non-Board Members Present</b>	
Suzanne Vary, Interim Executive Director	
Bob Mincer, Staff	<b>Contract Staff</b>
Jessica Kazmark, Staff	Ed Russell III, Underberg & Kessler
Michael Wojcik, CFO	
Brigitte Larson, Secretary	

**CALL TO ORDER:** Chair Rob Solenne called the meeting to order at 8:30 a.m. A quorum was present.

**OLD BUSINESS:**

**Agro Research request:**

Suzanne Vary introduced Marc LaJeunesse, founder and CEO of Agro Research. Agro specializes in developing eco-friendly formulations that assist the growth and quality of food and grasses. Sue explained that the New York division was closed and that Ed Russell had sent a demand letter.

Marc LaJeunesse stated that operations will be brought back to the Town of Seneca location and that he plans to hire more employees for the building. Marc also explained that when the pandemic began, not only did sales come to a halt but many employees were lost due to various circumstances, including lack of childcare and mental health. Due to the loss of employees, the Geneva building has been left empty for some time. Marc is in the process of establishing a fungi operation at the Seneca facility and has been working with Cornell and a Canadian company. Marc also emphasized that it has been difficult to find employees but two new bookkeepers have been hired. The Company is requesting a six month deferral of principal and interest payments.

It was determined that the Company's total balance due is over \$107,000 between GAIN and RLF, including \$40,000 in late fees. The Board would like to see updated financials and referred the request to the Finance Committee for review.

Marc LaJeunesse exited the meeting at 8:47 a.m.

**Workforce Development Report:**

Michael Sykes from Ontario County Workforce Development presented a report on how OCEDC funds were spent to the Board. He stated that there has been a lot of interest and that there is a need for on-the-job training. Mike's report had numerous technical jobs, including a few from Vertex Optics and Surmotech. The report also highlighted a variety of businesses and sectors. Obligated funds totaled \$28,694.37 and Workforce Development requested disbursement of the \$40,000 budgeted for this year.

Mike Sykes exited the meeting at 8:53 a.m.

**Bio Works intercreditor agreement:**

Ed Russell informed the Board that BioWorks is looking to pay off one of their SBA loans with a new loan from Tompkins Bank. This will require the EDC to authorize Rob Solenne to sign the agreement. Suzanne Vary indicated that the Company is in good standing and reports their statements monthly.

*Kevin Hill made a motion to authorize execution of the intercreditor agreement for BioWorks. Karen Parkhurst seconded the motion. Unanimously approved. Motion carried.*

**CDBG CARES Act funding:**

Suzanne Vary gave the Board a brief update regarding the CDBG CARES Act funding. Sue stated that the total funds of \$900,000 have been used. An amended application will be submitted to the OCR for what is in the pipeline. Sue will be presenting a resolution to the Board of Supervisors for approval of the amendment. It was discussed that the funds have helped numerous businesses in Ontario County.

**FTZ 289 Annual Report:**

Bob Mincer presented the FTZ 289 Annual Report to the Board and also mentioned that the website and form has been updated. Bob stated that Velocity Outdoors has increased 20% over the last three years and that \$131,652,303 worth of materials were shipped from the zone. \$120,820,307 of material was received by 289-00A, of which 42% was domestic status and 58% was foreign status. Bob also indicated that he will be reaching out to Velocity to inquire about their savings with the FTZ. He will also attempt to meet with a few other companies and municipalities to explore additional FTZ opportunities and hold a seminar with Mohawk Global in June.

**Economic Developer search:**

Rob Solenne shared that the position had been previously offered to two individuals, however; the applicants declined the offers. There will be a third set of interviews next week and Rob will keep the Board informed.

**Hybrid Meetings:**

Ed Russell stated that virtual meetings will be conducted as is until June 8<sup>th</sup>. This means that Board members can attend via Zoom or in person for the time being. After June 8<sup>th</sup> extraordinary circumstances would be the only allowance for meeting virtually. A quorum would still need to be in person. Ed will have an update for the Board at the May meeting.

### **ADMINISTRATION:**

#### **March 15, 2022 Minutes:**

Rob Sollenne presented the March 15, 2022 minutes for approval.

*Supervisor Fred Wille made a motion to approve the March 15, 2022 minutes as presented. Joe Bridgeford seconded the motion. Unanimously approved. Motion carried.*

#### **Invoices for Payment:**

Michael Wojcik reviewed and submitted the invoices for payment for approval, which included 5 invoices totaling \$49,457.34.

*Karen Parkhurst made a motion to approve the invoices for payment. Erica Wright seconded the motion. Motion unanimously carried.*

#### **Committee charters:**

Joe Bridgeford explained that each committee should meet and review their Charters and refer them to the Governance Committee for final approval.

#### **Questions on Informational Reports:**

There were no questions.

*Kevin Hill made a motion to approve all financial reports as presented. Supervisor Peter Ingalsbe seconded the motion. Unanimously approved. Motion carried.*

#### **Open Discussion:**

Karen Parkhurst spoke about affordable housing in Ontario County and commented that she has been working with Mike and Sue. Karen shared that there are currently 400 people on the Geneva Housing Authority's Section-8 wait list, highlighting the immediate need for affordable housing in the county. Transportation was also discussed briefly.

### **ADJOURNMENT:**

*Walt Matyjas made a motion to adjourn at 9:54 a.m. Erica Wright seconded the motion.*

*Unanimously carried.*

Respectfully submitted,

*Brigitte Larson, Staff*

