



COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY

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## MINUTES – AGENCY MEETING – October 21, 2008

Time & Place: 12:00 Noon, Ebenezer Watts Conference Center,  
49 S. Fitzhugh Street, Rochester, New York

Board Present: T. Mazzullo (Chair), A. Burr, E. Caccamise, L. Doyle,  
R. Hurlbut, H. Stuart

Also Present: J. Seil (Executive Director), W. Zyra (President, Monroe County Legislature),  
E. Liberti, M. Townsend, Esq.

Chair Mazzullo called the meeting to order. L. Doyle led the Pledge of Allegiance.

Chair Mazzullo reviewed the steps that COMIDA continues to take on an ongoing basis to maintain accountability and transparency, specifically publication of public notices, notice to affected taxing jurisdictions, submission of annual financial report to the New York State Comptroller, availability of public notices, agendas, minutes, financial statements, budgets, annual reports and policies on the website. Chair Mazzullo noted that a recent survey of IDAs throughout New York State was undertaken at our behest by the New York State Economic Development Council. The results indicated that approximately 50% of the IDAs include a public forum section at their meetings. Of those, approximately 50% held the public forum at the beginning of the meeting, while the other 50% held the public forum at the end of the meeting. Going forward, the public forum portion of the meeting shall take place prior to the presentation of applications to ensure the public has the opportunity to express their opinions relative to the business of the County of Monroe Industrial Development Agency. Chair Mazzullo noted that those that wish to speak at the Public Forum are asked to sign in, or they may call in their request prior to the meeting.

Chair Mazzullo opened the Public Forum. Ray Tierney, Town of Brighton councilman, offered comments, including complimenting the board for putting the public forum at the beginning of the meeting and for increasing the time to comment to three minutes. He requested that the public be allowed to directly question applicants. Tom Stevens, offered comments including a request for an explanation of the projected new jobs noted on the SGP, LLC application and local labor issues at COMIDA job sites. Bob DiNardo, International Brotherhood of Electrical Workers, offered comments regarding contractors, suggesting that the contractors be penalized directly for violations of the local labor requirement. Chair Mazzullo closed the Public Forum.

Chair Mazzullo reviewed the Verified Exemptions review process. Requests for Verified Exemptions are now reviewed for approval by a third party, The Bonadio Group. Ken Pink, of The Bonadio Group, presented a report on recent Verified Exemption requests:

Dick Usselman of Loewke & Brill Consulting presented the Monitoring Report for the period of September 2, 2008 – September 26, 2008. During that time, 25 monthly visits were made and 8 follow up visits were conducted. Of the 266 workers that were identified, 7 were noncompliant on the initial visit. Four of these workers were not present on the follow up visit which was conducted within 24 hours and 3 were now compliant. As of September 26, 2008 all sites were compliant. No workers were present on three sites. Signs were delivered to six new projects and 1 project was completed.

J. Seil presented the following applications for agency consideration:

**CAS Real Estate, Inc. (Lease/Leaseback)**

The company was represented by Robert Wyeth. CAS Real Estate, Inc. proposes to construct a 20,400 square foot facility on 3.75 acres in the Rochester Science Park. The facility will be leased to Columbia Analytical Services, Inc (CAS), a full service analytical laboratory that provides testing for air, soil, water and more. CAS is headquartered in Kelso Washington and operates laboratories in seven locations throughout the United States. CAS considered relocating the Rochester lab out-of-state, before deciding to expand their operations in Monroe County. The \$2.75 million project will impact 55 existing employees and is projected to create 17 new FTE within three years. The applicant seeks approval of JobsPlus property tax abatement. The Jobs Plus job creation requirement is 6 FTE. The project is receiving assistance from the City of Rochester and Empire State Development. At a Public Hearing held in the City of Rochester on October 20, 2008, no comments were made. After a brief discussion and on a motion made by H. Stuart and seconded by R. Hurlbut, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by L. Doyle and seconded by R. Hurlbut, a final resolution was adopted approving subject project. All Aye.

**Brinkman Precision, Inc. (Lease/Leaseback)**

The company was represented by Andrew Laniak. Brinkman Precision, Inc. is a high value added precision machining operation serving the aviation propulsion, power generation, underwater and airborne controls industries. Brinkman is proposing to build a 42,500 square foot manufacturing facility on 6.75 acres located at Lot 17 of University Park of Rochester in the Town of Henrietta. The \$4.35 million project is expected to impact 99 FTE and create 55 within three years. In addition to the real estate project, the company will be investing \$6 Million in capital equipment. The applicant seeks approval of JobsPlus property tax abatement based on qualifying as a manufacturer. The JobsPlus job creation requirement is 10 FTE. The project is receiving assistance from Empire State Development and RG&E. At a Public Hearing held in Henrietta on October 16, 2008, no comments were made. After a brief discussion and on a motion made by A. Burr and seconded by H. Stuart, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by H. Stuart and seconded by R. Hurlbut, a final resolution was adopted approving subject project. All Aye.

**Renaissance Lofts, LLC (Lease/Leaseback – sales & mortgage tax only)**

The company was represented by Talb Elkettani. Renaissance Lofts, LLC proposes to redevelop the mostly vacant 102,000 square foot Cox Building into mixed use commercial and residential space. The first floor will be converted into 6 street level commercial spaces with 74 apartment lofts on the upper floors. The \$7.1 million improvement project includes two new front lobby entrances, a courtyard, and a fitness center. The basement will be converted into underground parking for a minimum of 40 vehicles. Renaissance Lofts, LLC intends to utilize green technology for building systems and appliances. Due to the historic nature of the building there are no plans to make any improvements to the façade. The applicant seeks approval of a sales and mortgage tax exemption only. The project is receiving real property tax exemptions from the City of Rochester's Commercial Urban Exemption (CUE) program. At a Public Hearing held in Rochester on October 20, 2008, no comments were made. After a brief discussion and on a motion made by L. Doyle and seconded by E. Caccamise, a final resolution was adopted approving subject project. All Aye.

**Charles B. Corby/Pittsford Farms Dairy, Inc. (Lease/Leaseback)**

The company was represented by Charles Corby, Jr. Pittsford Farms Dairy, Inc. (PFD) is proposing to construct a new milk processing plant at 44 North Main Street in the Village of Pittsford. PFD is a wholesale dairy that distributes milk and dairy products to retailers throughout the area. PFD was founded in 1888 and is the oldest business still operating in Pittsford. The 8,300 square foot facility will include pasteurization and bottling plant, cold storage, commercial space and offices. The \$1.15 million project will impact 5 existing employees and is projected to create 7 new FTE within three years. The applicant seeks approval of JobsPlus property tax abatement. The Jobs Plus job creation requirement is 1 FTE. At a Public Hearing held in Pittsford on October 15, 2008, no comments were made. After a brief discussion and on a motion made by H. Stuart and seconded by R. Hurlbut, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by A. Burr and seconded by R. Hurlbut, a final resolution was adopted approving subject project. All Aye.

**SGP Associates LLC****(Sales Tax Exemption Only)**

The company was represented by Robert Bair. SGP Associates LLC (SGP) operates a 465 room, full service hotel adjacent to the Rochester Convention Center, under the Clarion brand. The hotel plays a major role in influencing convention meeting planners to bring business to Rochester. The \$1.9 Million project, which will include exterior rehabilitation, interior improvements and equipment, is projected to create 78 new FTEs over the next three years. The applicant seeks approval of a sales tax exemption only. After a brief discussion and on a motion made by H. Stuart and seconded by R. Hurlbut, a final inducement resolution was adopted approving subject project. All Aye.

**B&L Wholesale Supply, Inc.****(EquiPlus)**

The company was represented by Art Finocharrio. B&L Wholesale Supply Inc. (B&L) is a wholesale distributor of building materials located in the City of Rochester. B&L will be investing \$512,321 in new delivery trucks and heavy equipment. B&L employs 112 in Monroe County and expects to create 4 new full time positions. The company has been approved for a GreatRate on the equipment purchase through the Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus. After a brief discussion, and on a motion made by L. Doyle and seconded by A. Burr, a final resolution was adopted approving subject project. All Aye.

**Callfinity, Inc.****(EquiPlus)**

The company was represented by Jeff Valentine. Callfinity, Inc. provides services that bridge the gap between the internet and telephone networks. Products include integrated call recording and replay to customized telephone and web applications. Callfinity will be investing \$75,000 in new equipment and \$25,000 in renovations. The company moved to Monroe County in 2005 from Boston, MA. Callfinity employs 18 in Monroe County and expects to create 2 new full time positions. The company has been approved for a GreatRate on the equipment purchase through the Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus. After a brief discussion, and on a motion made by A. Burr and seconded by L. Doyle, a final resolution was adopted approving subject project. All Aye.

On motion made by H. Stuart and seconded by A. Burr, minutes for the meeting of September 16, 2008 were reviewed and adopted and approved. All Aye.

Chair Mazzullo noted that future board meetings may include presentations from/about economic development partners, local labor representatives, PILOT programs and other topics of interest.

Governance Committee Stuart noted that the Governance Committee met on September 16, 2008. As a result of that meeting several recommendations were made:

**-Bylaws**

On a motion made by E. Caccamise and seconded by L. Doyle, a resolution was adopted approving a changing the title of "Administrative Director" to "Executive Director" and a change in the date of the annual meeting to "regularly scheduled March meeting". All Aye.

**-Labor Monitoring Agreement**

The request for proposal was publicly advertised for the Labor Monitoring Agreement contract and two proposals were received and reviewed. On a motion made by R. Hurlbut and seconded by E. Caccamise, a resolution was adopted approving execution of a contract with Loewke Brill Consulting for Labor Monitoring Services. All Aye.

Governance Chair Stuart noted that the committee reviewed the board's compliance with the Public Authorities Law, noting that the board is in compliance with regard to member independence. At the next Governance committee in December 2008, Executive Director Seil has been asked to report on the Comptrollers/PARIS reporting, and Chair Stuart encouraged the board members to maintain their continuing education requirements.

At Chair Mazzullo's request, M. Townsend, Board Counsel, offered clarifying comments with regard to the Ebaum project approved in August 2008. The project included 75% office space, and 25% retail, which is permitted under New York State General Municipal Law, as the project was not primarily retail. M. Townsend noted that a Public

Hearing was held on the project, with all public comments in full support of this project.

M. Townsend, Board Counsel, presented the following items for Agency Action:

**-Tower Rochester LLC**

On a motion made by L. Doyle and seconded by R. Hurlbut, a resolution was adopted approving assignment to SJ Parking LLC and PILOT extension to 2033. All Aye.

**- JMJ Properties**

On a motion made by E. Caccamise and seconded by R.Hurlbut, a resolution was adopted approving a termination of subject project. All Aye.

There being no further business, on a motion made by R. Hurlbut, and seconded by L. Doyle, the meeting was adjourned.