



## MINUTES – AGENCY MEETING – December 16, 2008

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

Board Present: R. Hurlbut(Vice Chair), A. Burr, E. Caccamise, L. Doyle,  
S. Moore, H. Stuart

Also Present: J. Seil (Executive Director),  
E. Liberti, M. Patel, Esq.

Vice Chair R. Hurlbut called the meeting to order. E. Liberti led the Pledge of Allegiance.

Vice Chair R. Hurlbut opened the Public Forum. Ray Tierney requested that when the board reviews the termination of projects, that additional information regarding benefits and job targets be discussed. Mr. Tierney commented on recent extensions of sales tax benefits to area malls, sales tax dollars generated by the malls and the sustainability of retail/service jobs. There being no further comments, the Public Forum was closed.

A report on the Requests for Verified Exemptions was presented by Ken Pink of The Bonadio Group. During the last month, The Bonadio Group has received one request for exemption from the local labor requirements for the Midtown project, under the criteria “no local labor available”. Mr. Pink reported that upon review, the Bonadio Group found the request valid. To date, seven exceptions for three projects have been reviewed and denied, retaining 18 local labor jobs. E. Caccamise encouraged Mr. Pink to contact the president of the local building trades for any questions that may arise about the availability of local labor.

Dick Usselman of Loewke & Brill Consulting presented the Monitoring Report for the period of November 3, 2008 - November 28, 2008. During that time, 29 monthly visits were made and 7 follow up visits were conducted. Of the 315 workers that were identified, 23 were noncompliant on the initial visit. Seven of these workers were not present on the follow up visit which was conducted within 24 hours and 16 were now compliant. As of November 28, 2008 all sites were compliant. Signs were delivered to 3 new projects and one project was completed this month.

J. Seil presented the following applications for agency consideration:

### **760 Brooks Ave, Inc. (Lease/Leaseback)**

The company was represented by Jerry Eichelberger. 760 Brooks Ave, Inc. proposes to construct a new 32,000 square foot, three-story Red Roof Inn at 760 Brooks Avenue in the City of Rochester. The City of Rochester is supportive of the project and has requested that COMIDA assist the developer. The \$4.3 million project is projected to create 27 new FTE within three years. The applicant seeks approval of JobsPlus property tax abatement based on the local labor and suppliers rule. The Jobs Plus job creation requirement is 1 FTE. A Public Hearing was held in the City of Rochester on December 15, 2008. After a brief discussion and on a motion made by H. Stuart and seconded by E. Caccamise, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by A. Burr and seconded by L. Doyle, an inducement resolution was adopted approving subject project. All Aye.

**Upstate Niagara Cooperative** (Lease/Leaseback)

The company was represented by John Wilhelm. Upstate Niagara Cooperative, Inc. (Upstate) is a food and beverage cooperative that has been manufacturing high-quality dairy products since 1965. Upstate is owned by 405 local, family owned dairy farms in Western NY and operates milk processing and distributions centers in Buffalo and Rochester. The Rochester plant is the exclusive production facility for organic milk, which is the fastest growing segment of Upstate's fluid division. Upstate is proposing to expand their existing 16,500 square foot cold storage area with a 7,400 square foot addition. The expansion will allow the plant to reduce downtime while adding capacity for 454 more pallets of product. The \$1.75 million project will impact 72 existing employees and is projected to create 9 new FTE within three years. The applicant seeks approval of JobsPlus property tax abatement. The Jobs Plus job creation requirement is 8 FTE. A Public Hearing was held in the City of Rochester on December 16, 2008. After a brief discussion and on a motion made by H. Stuart and seconded by E. Caccamise, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by L. Doyle and seconded by S. Moore, an inducement resolution was adopted approving subject project. All Aye.

**Greece Ridge, LLC** (Sales Tax Only)

The company was represented by Kevin Wilmot. Greece Ridge, LLC is the property owner of the Mall at Greece Ridge Center (Mall) in Greece, New York. The Mall has 1.5 million square feet of gross leaseable area, 142 tenants and the tenants employ approximately 2400. Phase I of the project will include the renovation, construction and modernization in the amount of \$6 million in order to reposition the high quality retail shopping center by enhancing its market position and attracting new businesses. There are 5 FTEs mall employees employed by the owner. The project is expected to create 2 FTE within 3 years. The applicant is seeking sales tax exemption only for Phase I of the project. A Public Hearing was held in Greece on December 15, 2008. After a brief discussion and on a motion made by A. Burr and seconded by E. Caccamise, an inducement resolution was adopted approving subject project. All Aye.

**Action Towing of Rochester, Inc.** (EquiPlus)

The company was represented by Craig Camp. Action Towing of Rochester, Inc. (Action) is a full-service towing and roadside assistance provider. Action is proposing to purchase a 2008 Ford F-550 wrecker and two Ford light duty trucks totaling \$125,000. Action employs 10 in Monroe County and expects to create 1 new full time position. 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 H. Stuart, an inducement resolution was adopted approving subject project. All Aye.

**EPIC Advisors, Inc.** (EquiPlus)

The company was represented by Bob Judd. EPIC Advisors, Inc. (EPIC) provides administrative services for qualified retirement plans. EPIC is adding infrastructure capacity to support growth in their national client base. EPIC will be purchasing computer, telephone and networking equipment for a total cost of \$180,750. EPIC has been approved for a GreatRebate on equipment purchases 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 S. Moore, an inducement resolution was adopted approving subject project. All Aye.

**BRG Corporation** (EquiPlus)

The company was represented by Gus Tamoutselis. BRG Corporation installs industrial plate glass windows and doors for municipalities, school districts and institutions in Monroe County. BRG is proposing to purchase a 2009 JLG Boom Lift for \$87,232. BRG employs 20 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 E. Caccamise and seconded by H. Stuart, an inducement resolution was adopted approving subject project. All Aye.

**Boyatzies, Inc. dba Interstate Battery System of Rochester (EquiPlus)**

The company was represented by Jim Boyatzies. Boyatzies, Inc. dba Interstate Battery System of Rochester (Interstate Batteries) is a wholesale distributor of batteries. Interstate Batteries is proposing to purchase a new Kenworth truck and a Ford van totaling \$94,483. Interstate Batteries employs 9 in Monroe County and expects to create 1 new full time position. The company has been approved for a GreatRebate 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, an inducement resolution was adopted approving subject project. All Aye.

Dick Usselman of Loewke Brill provided a correction to the minutes of the previous minutes with regard to his report. On motion made by A. Burr and seconded by H. Stuart, minutes for the meeting of November 18, 2008 were reviewed and approved as corrected. All Aye.

Executive Director Seil reported on the second meeting of the Governance Committee on December 5, 2008. At that meeting, the Governance Committee reviewed the annual PILOT compliance review process. This is available on the COMIDA website. Executive Director Seil also reviewed the 2009 budget. She noted that the budget had been submitted to and reviewed by Audit Committee, which requested a contingency budget as well, pending IDA Legislation changes reflecting a lower number of projects. The proposed budget anticipates fee income of \$2,000,000 and Interest Income of \$65,000. Total revenues of \$2,065,000. Total Expenses of \$2,052,500 include Community Investment of \$500,000, the \$300,000 annual contribution to the Greater Rochester Enterprise, Professional Fees of \$350,000, the \$260,000 payment to Monroe County, and \$150,000 that supports The Entrepreneurs Network (TEN) program. Net Revenue of \$12,500. Executive Director Seil noted that for 2008, the Community Investment line item was over budget due to the \$75,000 contribution to the Rochester Careers in Construction Corps program that works to promote careers in the construction trades. She also noted that the budget includes \$75,000 contribution to the regional IDA image building marketing campaign during the first quarter of 2009. On a motion made by A. Burr and seconded by E. Caccamise, a resolution was adopted approving the 2009 Budget and Contingency budget as presented.

On a motion made by A. Burr and seconded by E. Caccamise, the board adopted a resolution increasing check signing authority for the Executive Director from \$500.00 to \$2,000.00. All Aye.

Executive Director Seil discussed the Monroe Manufactures Jobs programs recently announced by County Executive Maggie Brooks. The program will connect Monroe Community College graduates in the Precision Machining, Optical Fabrication, and AAS Precision Machining certificate programs with local manufacturing companies and offer both the employee and employer a \$1,500 bonus if the employee works for the company for one full year. Executive Director Seil noted that the funds for these programs are not from COMIDA. The program is to be funded by fee income and loan repayments from other sources and no tax payer dollars are used to fund the program.

M. Patel, Acting as Board Counsel, presented the following items for Agency Action:

**Miscellaneous:**

**Wards Natural Science**

On a motion made by H. Stuart and seconded by S. Moore, the board adopted a resolution accepting a revision to Appendix A for the application which was approved April 2008. All Aye.

**Terminations:**

**HMPBC Hospitality Group, LLC- 777 Panorama Trail, Penfield NY**

On a motion made by L. Doyle and seconded by S. Moore, the board adopted a resolution terminating the subject project. All Aye.

**Carestream Health**

On a motion made by S. Moore and seconded by A. Burr, the board adopted a resolution terminating the subject project. All Aye.

There being no further business, on a motion made by H. Stuart and seconded by S. Moore, the meeting was adjourned.