



## MINUTES – AGENCY MEETING – March 15, 2011

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

Board Present: T. Mazzullo (Chair), A. Burr, R. Gerbracht,  
S. Moore, H. Stuart

Also Present: J. Seil (Executive Director), A. Daniele (Monroe County Legislature),  
E. Liberti, M. Townsend, Esq., R. Shepard

Chair Mazzullo called the meeting to order. A. Burr led the Pledge of Allegiance.

Chair Mazzullo opened the Public Forum. There being no speakers, the Public Forum was closed.

Executive Director Judy Seil presented the 2010 Annual Board Report. This included a brief overview of 2010 activities. During 2010, COMIDA approved 33 new projects, with a total investment in excess of \$172 Million and projected new jobs of 775. These projects have a 5 to 1 Benefit to Incentive ratio, with these projects generating benefits estimated at \$450 Million, vs. incentives of \$95 Million. Director Seil also reviewed several COMIDA projects including the Studco and Advantech newly constructed manufacturing facilities and the Nothnagle, LiDestri and Paley renovations.

COMIDA partnerships with The Entrepreneur's Network, the Greater Rochester Enterprise and the Procurement Technical Assistance Center were reviewed. Local Labor monitoring was also reviewed, with Director Seil noting 33 construction projects and more than 700 site visits. Director Seil thanked all of the staff for their efforts over the past year. Director Seil also thanked Economic Development partners including the Carlos Carballada of the City of Rochester, the Greater Rochester Enterprise, High Tech of Rochester and the Procurement Technical Assistance Center. Director Seil also thanked COMIDA's service providers including Harris Beach, The Bonadio Group and Loewke & Brill Consulting.

Following the Annual Report presentation, Jim Loewke of Loewke & Brill Consulting presented the Monitoring Report for the period of February 1, 2011 – February 28, 2011. During that time, 63 monthly visits and 2 follow up visits were conducted. Of the 372 workers that were identified, four were noncompliant on the initial visit. As of February 28, 2011 all monitored sites were compliant. Loewke & Brill delivered signs to 2 new projects.

J. Seil presented the following applications for agency consideration:

**Mt. Read-Emerson Street Properties LLC**                      **(\$2,275,000 Lease/Leaseback with JobsPlus)**  
**Monroe School Transportation**                                      **(\$400,000 Sales Tax Exemptions Only)**

The company was represented by D. Bonacchi. Mt. Read-Emerson Street Properties proposes to construct a 9,380 square foot expansion to the existing 12,400 square foot facility at 970 Emerson Street in the City of Rochester. The facility is leased to Monroe School Transportation, Inc. (MST) a transportation company that provides charter, shuttle and bus rental services to schools and businesses. MST has outgrown the facility and needs additional bus maintenance, repair, office and drivers' areas. MST employs 25 FT and 332 PT and expects to create 29 new positions. The expansion cost is \$1,275,000. MST will be investing \$400,000 in the project as well. Mt. Read-Emerson will be applying for JobsPlus. The JobsPlus requirement is 19. A Public Hearing was held in the City of Rochester on March 15, 2011. After a brief discussion and on a motion made by H. Stuart and seconded by A. Burr, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by R. Gerbracht and seconded by A. Burr, an inducement resolution was adopted approving subject project. All Aye.

**PAETEC Realty LLC**    **(Lease/Leaseback with Green JobsPlus)**

The project was represented by Brett Garwood, City of Rochester. PAETEC Realty LLC will be constructing a 3 ½ story facility of approximately 223,000 square feet on a 1.851 acre parcel to house PAETEC Communications new corporate headquarters. The \$60.3 million investment in downtown Rochester will be the cornerstone for the redevelopment of the Midtown area. PAETEC Communications, Inc. was started in 1998 providing integrated communication services in voice, data, and security services as well as providing expertise on related equipment and software. PAETEC will be applying for GreenJobsPlus. They will initially move 700 of their 838 employees downtown and expect to create 70 new jobs over the next 3 years. A Public Hearing was held in the City of Rochester on March 15, 2011. After a brief discussion and on a motion made by H. Stuart and seconded by S. Moore, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by A. Burr and seconded by S. Moore, an inducement and final resolution was adopted approving subject project. All Aye.

**S&S Realty of Rochester**    **(\$2,474,903 Lease/Leaseback with JobsPlus)**  
**Lake Beverage Corp.**    **(\$55,560 Sales Tax Exemptions Only)**

The company was represented by B. Schroeder. Lake Beverage Corp. is a family owned and operated wholesale distributor of beverages that has been in business since 1945. Lake Beverage Corp. is proposing to expand their existing 94,000 square foot warehouse with a 44,000 square foot addition. The addition will include an 8,000 square foot cooler and four additional docks. The \$2.4 million project will impact 27 existing employees and is projected to create 3 new FTE within three years. The applicant seeks approval of JobsPlus property tax abatement. The JobsPlus job creation requirement is 3 FTE. After a brief discussion and on a motion made by H. Stuart and seconded by R. Gerbracht, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by S. Moore and seconded by A. Burr, an inducement and final resolution was adopted approving subject project. All Aye.

**General Code LLC**    **(EquiPlus)**

The company was represented by G. Domenico. General Code, LLC (GC) was founded in Monroe County over 48 years ago. GC provides services for municipalities and educational institutions, with codification of ordinances and electronic data management systems, including email archiving. GC has more than 2,700 customers in 32 states and Canada. The company reached capacity at the existing facility and will be relocating to 20,237 square feet at the Rochester Tech Park. GC will be investing \$224,000 to equip the new location, including servers, computers, cabling and cubicles. GC currently employs 85 FTE and expects to create 3 new full-time positions. GC has been approved for the GreatRate program through Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program. . After a brief discussion and on a motion made by H. Stuart and seconded by R. Gerbracht, an inducement and final resolution was adopted approving subject project. All Aye.

**Monroe Village Associates LLC**

**(Lease/Leaseback – sales & mortgage tax only)**

The company was represented by D. Dworkin. Monroe Village Associates, LLC proposed to construct a 19,000 square foot building on 3.7 acres in the Village of Honeoye Falls that will be leased to Tractor Supply Company (TSC). TSC is the largest farm and ranch store chain in the United States with over 1,000 locations in 44 states. TSC stores supply items designed to support a rural lifestyle, which include farm maintenance products, general equipment, lawn and garden products, animal care, apparel and automotive accessories. The \$1.8 million project is projected to create 11 new FTE within three years. The applicant seeks approval of sales and mortgage tax only. The Village of Honeoye Falls is supportive of the project and has provided a letter requesting the provision of incentives. After a brief discussion and on a motion made by H. Stuart and seconded by A. Burr, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by S. Moore and seconded by R. Gerbracht, an inducement and final resolution was adopted approving subject project. All Aye.

**TCS Industries, Inc.**

**(EquiPlus)**

The company was represented by M. Shekar. TCS Industries, Inc. (TCS) was formed in 1992 with one employee. TCS is a full service contract manufacturer supplying precision sheet metal and machining services as well as aluminum dip blazing and electro mechanical assemblies. TCS has outgrown its leased facility (70,000 square feet) and has purchased a 120,000 square foot manufacturing facility at 400 Trabold Road. TCS will be upgrading the facility with \$115,000 in new HVAC equipment and \$385,000 in improvements including roof, parking lot and flooring. TCS currently employs 71 FTE and expects to create 4 FTE within the next two years. TCS has been approved for the GreatRebate program through Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program. After a brief discussion and on a motion made by H. Stuart and seconded by A. Burr, an inducement resolution was adopted approving subject project. All Aye.

**Webster Precision.**

**(EquiPlus)**

The company was represented by D. Tierson. Webster Precision Fabrication, Inc (WPF) specializes in metal fabrication, metal machining services, finishing and assembly. WPF was recently formed and will begin their services in April 2011. Dave Tierson (owner) has over 40 years of experience in this industry. WPF is investing \$596,000 in manufacturing equipment and an additional \$64,000 in equipment subject to sales tax, for their facility located at 46 Commercial St. in the Town of Webster. WPF currently has 3 employees and expects to create 4 FTE within one year. WPF has been approved for the GreatRebate program through Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program. After a brief discussion and on a motion made by R. Gerbracht and seconded by A. Burr, an inducement & final resolution was adopted approving subject project. All Aye.

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

**Mortgage Tax Exemption:**

**-Carestream Health**

On a motion made by H. Stuart and seconded by S. Moore, a resolution was adopted approving the mortgage tax exemption on the refinancing of this existing project. All Aye.

On motion made by A. Burr and seconded by R. Gerbracht, minutes for the meeting of February 15, 2011 were reviewed and adopted and approved. All Aye.

At this Annual Meeting of the Board of the County of Monroe Industrial Development Agency, on motion made by H. Stuart and seconded by A. Burr, a resolution was adopted approving the following officer nominations: Theresa Mazzullo – Chair, Robert Hurlbut – Vice Chair, Hank Stuart – Secretary, Ann Burr – Treasurer, Steve Moore – Asst. Secretary. All Aye.

On motion made by H. Stuart and seconded by A. Burr, a resolution to readopt the Governance Committee Charter and appoint the committee and Chair (Committee-Hank Stuart – Chair, Robert Hurlbut, Theresa Mazzullo); to readopt the Audit Committee Charter and appoint the committee and Chair (Committee-Ann Burr – Chair, Rosalind Gerbracht, Stephen Moore); to adopt the Finance Committee Charter and appoint the committee and Chair (Committee- Stephen Moore – Chair, Rosalind Gerbracht, Ann Burr); to readopt the PILOT Compliance Review policy and appoint the Committee and Chair (Robert Hurlbut – Chair, Theresa Mazzullo, Hank Stuart) was approved. All Aye.

On a motion made by R. Gerbracht and seconded by S. Moore, the Mission Statement and Performance Measures Report was adopted.

On motion made by H. Stuart and seconded by R. Gerbracht, a resolution was adopted approving the following policies and appointments: Bylaws, Code of Ethics, Ethics Officer – S. Moore, Compensation, Reimbursement and Attendance, Defense and Indemnification, Policy for tracking Inventory and Disposal of Assets, Contracting Officer – Judy Seil, Extension of Credit, Internal Controls and Financial Accountability, Internal Control Officer – Steve Moore, Investment and Deposit, Procurement, Travel, Whistleblower Policies, Public Comment Rules of Procedure, Freedom of Information Law, and Uniform Tax Exemption Policy. All Aye.

Director Seil thanked Ms. Malone for all of her hard work on reviewing the policies and ensuring compliance with Public Authorities Accountability Act.

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

**Miscellaneous:**

**-Eagles Landing LLC – Building #2**

On a motion made by A. Burr and seconded by R. Gerbracht, a resolution was adopted approving a new tenant, Butler Till Media. All Aye.

**Terminations:**

**-175 Sully’s Trail - Mpower**

**-171 Sully’s Trail - Bonadio**

**-179 Sully’s Trail - AM&M Planning**

**-Medeva / UCB Technologies**

**-Clearborn Associates/Catalyst Direct**

On a motion made by H. Stuart and seconded by S. Moore, a resolution was adopted approving the termination of the above named projects. All Aye.

**Miscellaneous:**

**-Cascade Triangle**

On a motion made by H. Stuart and seconded by R. Gerbracht, a resolution was adopted approving an increase of \$78,618 in the project amount. All Aye.

Randy Shepherd of The Bonadio Group presented the 2010 Audited Financial Statements, which had been reviewed with the Audit Committee. Mr. Shepherd thanked Elaine Liberti, Ms. Burr and Executive Director Seil for their assistance and cooperation with the audit. After a brief discussion and comments provided by the Audit Committee Chair A. Burr, on a motion made by R. Gerbracht and seconded by H. Stuart, a resolution was adopted accepting the 2010 Audit.

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