

MINUTES – AGENCY MEETING – October 16, 2012

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, C. Campbell,
S. Moore, H. Stuart

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

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

Chair Mazzullo opened the Public Forum. Joseph Shields, representing the East Irondequoit Central School District requested that the board rescind its approval which amended the Medley Center pilot agreement. There being no further speakers, the Public Forum was closed.

A report on the Requests for Verified Exemptions was presented by Brian LaFountain of The Bonadio Group. During the last month, The Bonadio Group has received two requests for exemption from the local labor requirements for the 822HR project. The first request, under the criteria “specialized construction” was for the installation of Gypcrete. Mr. LaFountain reported that upon review, the Bonadio Group found the request valid. The second request, under the criteria “lack of local labor” was for the framing of the largest building on the project. Mr. LaFountain reported that upon review, the Bonadio Group denied the request.

Mike Loewke of Loewke Brill Consulting Group, Inc. presented the Monitoring Report for the period of September 1, 2012 – September 30, 2012. During that time, 62 monthly visits and 3 follow up visits were conducted. Of the 506 workers that were identified, none were noncompliant on the initial visit. Signs were delivered to three projects. As of September 30, 2012 all monitored sites were compliant.

J. Seil presented the following applications for agency consideration:

Wegmans Food Markets Inc. Lease/Leaseback with JobsPlus

The company was represented by Julie Cook. Wegmans Food Markets, Inc. is proposing to add a 12,300 square foot facility adjacent to its Culinary Innovation Center located at 249 Fisher Road in the Town of Chili. Wegmans is a privately held corporation which operates 81 stores in six states. The new facility will allow specialty cheeses to mature to their peak state (a process called affinage). Wegmans currently employs 9,154 FTE in Monroe County with 8 FTE impacted by this project. The \$8.1 million project is projected to result in the creation of 7 new FTE in three years. The applicant seeks approval of the JobsPlus property tax abatement. The JobsPlus job creation requirement is 1 FTE. Note: Wegmans originally considered locating the facility in Pennsylvania. A Public Hearing was held in the Town of Chili on October 15, 2012. Upon inquiry by the Chair, the applicant representative confirmed that they are aware of the Local Labor requirements. 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 E. Caccamise and seconded by C. Campbell, an inducement resolution was adopted approving subject project. All Aye.

Temple Building, LLC**Sales Tax Only**

The company was represented by Drew Costanza. In 2002, Temple Building, LLC was approved by COMIDA to renovate the 145,000 square foot, 13-story Temple Building located at 14 Franklin Street in the City of Rochester. The \$2.1MM project consisted of the construction of 40 loft style apartments and a 55 car underground parking garage. Phase II, approved by COMIDA in 2010, added an additional of 10 units with total project cost of \$400,000. In response to a strong housing demand in the City, Temple Building, LLC now proposes to renovate floors 9 – 12 into 28 one and two bedroom lofts. The \$1,315,000 project will impact 8 existing FTEs and is projected to add an additional employee. Temple Building, LLC is requesting sales tax exemption only. Upon inquiry by the Chair, the applicant representative confirmed that they are aware of the Local Labor requirements. After a brief discussion and on a motion made by H. Stuart and seconded by S. Moore an inducement resolution was adopted approving subject project. All Aye.

Classic Automation LLC**EquiPlus**

The company was represented by Fritz Ruebeck. Classic Automation LLC (CA), founded in 2003, is an international provider of surplus industrial control parts, products and services for companies looking to reduce maintenance costs, extend the life of control systems and help effectively migrate to new technology. CA is moving from its current 15,000 square foot location to a 41,000 square foot facility located at 800 Salt Rd. in the Town of Webster. CA will be investing \$352,000 to renovate and equip the space. CA currently employs 18 FTEs and expects to create 2 FTEs within the next year. CA has been approved for the GreatRebate program through Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program. Upon inquiry by the Chair, the applicant representative confirmed that they are aware of the Local Labor requirements. 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.

O'Connell Electric Company, Inc.**EquiPlus**

The company was represented by Richard Camping. O'Connell Electric Company, Inc. (O'Connell) is a full service electrical contractor serving New York State and surrounding regions of the northeast. Founded in 1911, O'Connell provides comprehensive design-build, construction, service, maintenance, and emergency response services. In 2010 O'Connell expanded into Monroe County with the purchase of the property in the Town of Henrietta, and was approved for a GreatRebate through the Monroe County Industrial Development Corporation for the \$150,000 renovation of the 15,400 square foot facility. O'Connell is requesting approval of the EquiPlus sales tax exemption for this \$90,550 equipment purchase which includes computers, smartboard printer, copier and office furniture. O'Connell employs 12 FTEs within Monroe County and is projecting the creation of 1 new FTE within two years. 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.

On motion made by A. Burr and seconded by S. Moore, minutes for the meeting of September 18, 2012 were reviewed and adopted and approved. All Aye.

A. Burr, Chair of the Finance Committee, reviewed year-to-date versus budget performance and the proposed 2013 Budget. Overall, revenues are projected to be up over budget for 2012, reflecting uptick in project activity and the closing of several large projects including the Rochester Schools Modernization project. Non-operating costs are projected to be generally on budget. Operating Expenses - Wages & Benefits are expected to be slightly over budget due to a higher required Retirement contribution. Professional Fees are under budget, as the budget anticipated some extraordinary legal fees that did not materialize. Other operating expenses are generally on budget. Net Income - Projected surplus of \$82,026 versus a budgeted loss of \$575,850 – again due to stronger revenues and lower expenses. Budget 2013 – Revenues are projected to reflect the uptick in activity, without the large projects like the City Schools Bond. Non-Operating Expenses – which include County payment, Greater Rochester Enterprise, Consulting & Lobbying and The TEN program, are projected to remain flat as the decrease in TEN program expense offset by additional PGA activity. Budgeted Operating Expenses - reflect a 2.5% increase in Wages & Benefits. Other operating expenses flat. On a motion made by A. Burr and seconded by H. Stuart, a resolution was adopted approving the 2013 Budget as presented. All Aye.

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

Miscellaneous:

-Kingsbury Corporation

On a motion made by H. Stuart and seconded by E. Caccamise, a final resolution was adopted approving the above project following a Public Hearing held October 16, 2012. All Aye.

-Gallina Cambridge

On a motion made by C. Campbell and seconded by E. Caccamise, a resolution was adopted approving a Bio Optonics as a tenant. All Aye.

-ConServe

On a motion made by A. Burr and seconded by S. Moore, a resolution was adopted approving a \$200,000 increase in project costs to \$950,000. All Aye.

-Riverview Lofts

On a motion made by E. Caccamise and seconded by C. Campbell, a resolution was adopted approving a \$325,000 increase in project costs to \$4,611,250. All Aye.

-Hughes Associates

On a motion made by C. Campbell and seconded by E. Caccamise, a resolution was adopted approving the sale of the real property and stock of the operating corporation and assumption of the existing PILOT by a new entity. All Aye.

-Rochwil

On a motion made by E. Caccamise and seconded by C. Campbell, a resolution was adopted approving the transfer of title to the project property to Rochwil or Winn Development. All Aye.

-Bersin Properties

On a motion made by A. Burr and seconded by S. Moore, a resolution was adopted approving the termination of the existing escrow agreement which included a conditional delivery, the conditions of which have not been complied with, and to declare that PILOT null and void, which will have the effect of reverting the project to the 2009 PILOT agreement that both the Town of Irondequoit and the East Irondequoit Central School District had approved and were parties to. Director Seil noted that all PILOT payments are current. All Aye.

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