

MINUTES – AGENCY MEETING – August 27, 2013

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,
R. Gerbracht, S. Moore, J. Popli

Board Excused: None

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

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

Chair Mazzullo opened the Public Forum. Joanne Sassa offered comments regarding the provision of benefits to urban redevelopment projects, Wegmans and Xerox. There being no further speakers, the Public Forum was closed.

Yvonne Lowrey of Loewke Brill Consulting Group, Inc. presented the Monitoring Report for the period of July 1, 2013 – July 31, 2013. During that time, 107 monthly visits were conducted. Of the 895 workers that were identified, none were noncompliant on the initial visit. As of July 31, 2013 all monitored sites were compliant. Loewke & Brill delivered signs to 4 projects.

Executive Director Seil noted that The New York State 2013-2014 Enacted Budget included provisions applicable to IDAs regarding granting tax exemptions for RETAIL projects. Assistance for a retail project is allowed when the project will provide services not otherwise available, is considered a tourist destination or it is located in a highly distressed area. This “highly distressed” designation reflects significantly deficient economic conditions relative to unemployment or personal income, and is applied at the COUNTY or CITY level. The City of Rochester is classed as Economically Distressed Area by both the U.S. Economic Development Administration and New York State.

J. Seil presented the following applications for agency consideration:

The Outdoor Group LLC Lease/Leaseback with JobsPlus

The company was represented by Peter Crawford. The Outdoor Group LLC (TOG) is the parent company to seven wholly owned manufacturing subsidiaries serving the bow hunting and target archery industries from their New York, Oregon and Kentucky locations. TOG, headquartered in Monroe County, is currently leasing multiple locations in the Town of Henrietta and is in need of additional space to expand its operations. TOG is contemplating the acquisition of 5 acres in the Town of Henrietta and construction of a 70,000 square foot facility which will house production, research and development, sales and administration. The \$5.5 Million project will impact 29 FTEs and is projected to create 50 new FTEs over the next three years. New York State has approved Excelsior Tax Credits for this project. The applicant is seeking approval of the JobsPlus property tax abatement program. The job creation requirement is 3 FTEs. TOG has received an incentive offer from the Powell County (Kentucky) IDA for this project. A Public Hearing was held in the Town of Henrietta on August 26, 2013. Upon inquiry by the Chair, the applicant representative confirmed that he is aware of the Local Labor requirements.

After a brief discussion and on a motion made by A. Burr and seconded by R. Gerbracht, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by J. Popli and seconded by E. Caccamise, an inducement resolution was adopted approving subject project. All Aye.

Shortino Properties **Lease/Leaseback with JobsPlus**

The company was represented by John Shortino. Shortino Properties LLC (SP) was approved for COMIDA assistance in 1996 for the construction of a 29,000 square foot manufacturing building in the Town of Ogden which is leased to a related entity, Superior Technology Inc., a metal turning & milling manufacturer. Since that time, Superior has experienced significant growth and Shortino is now proposing a 39,000 square foot expansion to the building. The \$2 Million project will impact 66 FTEs and is projected to create 9 new FTEs over the next three years. The applicant is seeking approval of the JobsPlus abatement. The job creation requirement is 7 FTEs. A Public Hearing was held in the Town of Ogden on August 26, 2013. Upon inquiry by the Chair, the applicant representative confirmed that he is aware of the Local Labor requirements. After a brief discussion and on a motion made by R. Gerbracht and seconded by J. Popli, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by A. Burr and seconded by J. Popli, an inducement resolution was adopted approving subject project. All Aye.

Button Lofts LLC **Lease/Leaseback with Custom Abatement**

The company was represented by Adam Driscoll. Button Lofts LLC (BL), a local real estate developer, is proposing the redevelopment of the former Ted Cohen Office Furniture building in the City of Rochester. The \$6 Million project will create 3 Townhomes and 36 lofts and is projected to create 1.5 new FTEs over the next three years. The City of Rochester provided a letter of support asking COMIDA to provide a custom abatement for this project based on the existing CUE program. A Public Hearing was held in the City of Rochester on August 27, 2013. Upon inquiry by the Chair, the applicant representative confirmed that he is aware of the Local Labor requirements. After a brief discussion and on a motion made by E. Caccamise and seconded by J. Popli, 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 resolution was adopted approving subject project. All Aye.

Whitney Baird Associates LLC **(Lease/Leaseback with Custom Abatement)**

The company was represented by Fred Rainaldi Jr. Whitney Baird Associates LLC (WB), a local real estate development company, was approved for assistance in 2010 to renovate the former Culver Road Armory in the City of Rochester. Since that time, WB has invested approximately \$15 Million to create a 100,000 square foot mixed use commercial facility. Tenants include Boylan Code, Erdman Anthony, the MRB group, a restaurant and specialty retailers. WB is now seeking approval of assistance for Phase 2 of the redevelopment which includes the restoration of a 10,000 square foot barn and a 31,000 square foot addition. Upon completion, the building will be a mix of premium office space and specialty retail. The \$9,966,000 project is projected to create 12 new FTEs over the next three years. The City of Rochester provided a letter of support asking COMIDA to amend the existing custom abatement for this project to extend to the Phase 2 construction. A Public Hearing was held in the City of Rochester on August 27, 2013. Upon inquiry by the Chair, the applicant representative confirmed that he is aware of the Local Labor requirements. After a brief discussion and on a motion made by E. Caccamise and seconded by A. Burr, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by C. Campbell and seconded by R. Gerbracht, an inducement resolution was adopted approving subject project. All Aye.

Midtown Tower LLC **Lease/Leaseback with Custom Abatement**

The company was represented by Rich Finley. Midtown Tower LLC (MT), a real estate development company formed by Laurence Glazer and Robert Morgan, is proposing to redevelop the vacant shell of the 17-story Midtown Tower building into a mixed-use structure which will include 158,000 square feet of office & retail space on the first three floors, and 181 residential units on the upper floors. The \$54,485,000 project will create 29 new FTEs over the next three years. The City of Rochester will be providing \$3.7 Million in loans to the project and provided a letter of support asking COMIDA to provide a custom abatement. A Public Hearing was held in the City of Rochester on August 27, 2013. Upon inquiry by the Chair, the applicant representatives confirmed that they are aware of the Local Labor requirements. After a brief discussion and on a motion made by R. Gerbracht and seconded by E. Caccamise, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by J. Popli and seconded by A. Burr, an inducement resolution was adopted approving subject project. All Aye.

Costco Wholesale Corporation

Lease/Leaseback with Custom Abatement

The company was represented by Erich Brann. Costco Wholesale Corporation, which began operations in 1983, operates a chain of 622 warehouses in 41 states and Puerto Rico, Canada, Mexico, the United Kingdom, Japan, Korea, Taiwan and Australia. Costco is proposing to build a 150,000 square foot store in the CityGate Development located at the southeast corner of the intersection of East Henrietta Road and Westfall Road in the City of Rochester. The property is currently owned by the County of Monroe. The \$30,190,000 project is projected to create 225 new FTEs over the next three years. The City of Rochester provided a letter of support asking COMIDA to provide a custom property tax abatement program for this project. A Public Hearing was held in the City of Rochester on August 27, 2013. Upon inquiry by the Chair, the applicant representatives 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, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by C. Campbell and seconded by J. Popli, an inducement resolution was adopted approving subject project. All Aye.

Express Delivery LLC

Sales Tax Exemptions Only

The company was represented by James Perfetti. Express Delivery LLC dba Instant Again, (ED) a local on-demand courier and trucking company, is adding to its fleet with the purchase of a box truck for \$75,000. Instant Again currently employs 34 FTEs and expects to create 1 new full-time position. Instant Again 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 A. Burr and seconded by E. Caccamise, an inducement resolution was adopted approving subject project. C. Campbell abstained. All others, Aye.

On motion made by A. Burr and seconded by S. Moore, minutes for the meeting of July 16, 2013 were reviewed and adopted and approved. All Aye.

Executive Director Seil thanked the staff for their work and support. She also thanked the City of Rochester Economic Development Commissioner and staff for their assistance, noting their level of professionalism and cooperation. She also reminded all that COMIDA does not grant capital to projects, but provides exemptions. She noted that some confusion occurs regarding EquiPlus projects that receive sales tax exemptions from the County of Monroe Industrial Development Agency and rebates from the Monroe County Industrial Development Corporation GREAT program.

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

Terminations:

--Rochester Courtyard West/400 Paddy Creek Circle

--Residence Inn West/500 Paddy Creek Circle

On a motion made by A. Burr and seconded by E. Caccamise, a resolution was adopted approving the termination of the above named projects. All Aye.

Miscellaneous:

--550 East Ave. LLC

On a motion made by E. Caccamise and seconded by R. Gerbracht, a resolution was adopted approving mortgage and sales tax exemption on \$500,000 increase in project costs. All Aye.

--Mt. Ridge Realty Associates, LLC

On a motion made by E. Caccamise and seconded by J. Popli, a resolution was adopted approving sale of the property to Advent Tool and Mold LP. All Aye.

--120 East Main Street – SGP Hospitality

Upon request of the City of Rochester and on a motion made by J. Popli and seconded by E. Caccamise, a resolution was adopted approving mortgage tax exemption on the refinancing of the above named project. All Aye.

There being no further business, on a motion made by E. Caccamise and seconded by J. Popli, the meeting was adjourned.