

MINUTES – AGENCY MEETING – April 19, 2016

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,
J. Popli, M. Siwec, M. Worboys-Turner

Board Excused: None

Also Present: P. Johnson (Acting Executive Director), D. Drawe (Monroe County Legislature),
E. Liberti, R. Baranello-Endress, Esq.

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

Yvonne Lowrey of Loewke Brill Consulting Group, Inc. presented the Monitoring Report for the period of March 1, 2016 – March 31, 2016. During that time, 67 monthly and 1 follow up visit were conducted. Of the 469 workers that were identified, one was noncompliant on the initial visit. As of March 31, 2016 all monitored sites were compliant. Loewke & Brill delivered signs to 7 new projects.

Chair Mazzullo reminded the Board that Conflicts of Interest should be disclosed before a vote is considered.

P. Johnson presented the following applications for agency consideration:

High Falls Operating Co., LLC – Sales Tax Exemptions Only

The company was represented by Mary Beth Popp and Pam Mellon. High Falls Operating Co., LLC (HFOC), is one of the largest and oldest continually operating breweries in the United States. In addition to its own brands, HFOC is also a contract brewer for numerous other brands. HFOC is part of North American Breweries. HFOC is proposing a \$10.3 Million modernization project at its current location in the City of Rochester. HFOC is proposing construction of a new 18,000 square foot brewery building and the installation of new beer holding tanks. Additionally, HFOC will be investing \$29.3 Million in manufacturing equipment. HFOC sees this project as critical to the future of the company and the retention and expansion of the existing employment base. The project will retain 530 FTEs and is projected to create 51 new FTEs over the next three years. The applicant is seeking approval of sales tax exemption only. The Benefit/Incentive ratio is 16.2:1. A Public Hearing was held in the City of Rochester on April 19, 2016. 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 M. Siwec and seconded by C. Campbell, 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.

Calkins Corp. Park LLC**Lease/Leaseback with LeasePlus**

The company was represented by Brian Morath and Ron Pluta. Calkins Corporate Park LLC, a local real estate development company, is proposing the construction of a 31,214 square foot medical office building in the Town of Henrietta which will be leased to Highland Hospital Cardiology Group. The \$8,000,000 project will impact 24 FTEs and is projected to create 3 new FTEs over the next three years. The applicant is seeking approval of LeasePlus property tax abatement. The job creation requirement is 2 FTEs. The Benefit/Incentive ratio is 1.1:1. A Public Hearing was held in the Town of Henrietta on April 18, 2016. 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 C. Campbell and seconded by M. Siwec, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by M. Siwec and seconded by M. Worboys-Turner, an inducement resolution was adopted approving subject project. All Aye.

2016 Gateway Business Center LLC**- Lease/Leaseback with JobsPlus**

2016 Gateway Business Center LLC, a Morgan real estate development company, is proposing a three building commercial development on 8.82 acres of land in the Town of Greece. The three buildings will contain 75,400 square feet of office and warehouse space, with related parking, utilities, grading and landscaping. The \$11,180,000 project is projected to create 15 new FTEs over the next three years from as yet unnamed tenants. The applicant is seeking approval of the JobsPlus property tax abatement. The job creation requirement is 1 FTE. The Benefit/Incentive ratio is 2.4:1. A Public Hearing was held in the Town of Greece on April 18, 2016. 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 M. Siwec and seconded by C. Campbell, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by A. Burr and seconded by E. Caccamise, an inducement resolution was adopted approving subject project. All Aye.

Panorama Landing LLC**- Sales & Mortgage Tax Exemptions Only**

The company was represented by Andy Gallina. Panorama Landing LLC (PL), a Gallina real estate development company, is proposing \$9,935,000 redevelopment project of the former Washington Drive-in Theater site in the town of Pittsford. The approximately 21 acre site will be developed into a new business park with five single story office buildings. The project is projected to create 3 new FTEs over the next three years from as yet unnamed tenants. PL is seeking approval of sales and mortgage tax exemptions only for Phase 1 of the project which will include construction of the entry road, site improvements for the first three lots and construction of the first three buildings. The Benefit/Incentive ratio is 5.9:1. A Public Hearing was held in the Town of Pittsford on April 18, 2016. 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 C. Campbell and seconded by M. Siwec, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by C. Campbell and seconded by A. Burr, an inducement resolution was adopted approving subject project. All Aye.

VS Developers LLC**- Lease/Leaseback with JobsPlus**

The company was represented by Gary Inzanna. VS Developers LLC (VS), a local real estate development company, is proposing the redevelopment of two parcels in the Village of Hilton. The \$309,750 project will renovate a vacant former hardware store with new windows, siding, façade improvements, signage, handicap access and updated utilities. A new two story addition, which will replace an existing commercial garage and residence, will expand the existing commercial building to accommodate additional retail space and two new apartments. The applicant is seeking approval of the JobsPlus property tax abatement. The job creation requirement is 1 FTE. The Benefit/Incentive ratio is 1.4:1. Both the Village of Hilton and the Town of Parma are in support of the project as it will help with the revitalization of the village. 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 C. Campbell and seconded by J. Popli, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by M. Worboys-Turner and seconded by E. Caccamise, an inducement resolution was adopted approving subject project. All Aye.

Capizzi/Stanton Partnership

- Sales Tax Exemptions Only

The company was represented by Steve Capizzi. Big Apple Deli Products Inc. (BADP), a broadline food distributor founded in 1975, services restaurants, delicatessens, pizzerias and convenience stores, as well as Wegmans stores in six states. BADP, located at the Rochester Public Market is proposing a \$1,120,000 project to install a new freezer. BADP currently employs 81 FTEs and is projecting to create 41 new FTEs over the next three years. The applicant is seeking approval of sales tax exemption only. The Benefit /Incentive ratio is 21.9:1. A Public Hearing was held in the City of Rochester on April 19, 2016. 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.

DeJoy, Knauf & Blood LLP

- Sales Tax Exemptions Only

The company was represented by Mark Blood. DeJoy, Knauf & Blood LLP (DKB), founded in 1990, provides accounting, audit, tax and consulting services throughout the United States. DKB is proposing to relocate and expand to 14,000 square feet at Tower 280 in the City of Rochester. DKB proposes to invest \$300,000 in technology equipment, furniture & fixtures to accommodate continued growth. The expanded and updated facility will enable DKB to retain and expand its employment base, as the company expands into new market niches and new technology service offerings. DKB's new location will also serve as a technology demonstration site for a local company, OLED Works LLC, in cooperation with NYSERDA and the US Dept. of Energy. The \$300,000 project will impact 56 FTEs and is projected to create 9 new FTEs over the next three years. The applicant is seeking approval of sales tax exemptions only. The Benefit/Incentive ratio is 23.6:1. After a brief discussion and on a motion made by E. Caccamise and seconded by C. Campbell, an inducement resolution was adopted approving subject project. A. Burr abstained due to a conflict of interest. All others Aye.

On motion made by A. Burr and seconded by M. Worboys-Turner, minutes for the meeting of March 15, 2016 were reviewed and adopted and approved. All Aye.

Chair Mazzullo invited Douglas Fisher to offer comments regarding the Morgan Court Street Apartments project. Mr. Fisher's comments noted that assistance is not justifiable and that the project as inappropriate for public subsidy as it is not in the best interests of the community, in particular with public access to the river.

R. Baranello-Endress, Board Counsel, presented the following items for Agency Action:

Miscellaneous:

-- Sibley Redevelopment LLC

On a motion made by A. Burr and seconded by M. Worboys-Turner, a resolution was adopted approving a mortgage tax exemption on \$3,070,000 mortgage. Original approval December 18, 2012. Incremental benefits \$30,700. All Aye.

-Butler Till Media

On a motion made by E. Caccamise and seconded by M. Worboys-turner, a resolution was adopted approving a \$65,000 increase in project costs to \$435,000. Incremental benefits \$5,200. Original approval October 20, 2015. .All Aye.

-Tower 195

Following comment by project representative Andy Gallina and on a motion made by M. Siwec and seconded by C. Campbell, a resolution was adopted approving a \$9,090,000 increase in project costs to \$14,000,000 and mortgage tax exemption. Incremental benefits \$216,760. Original approval October 20, 2015. All Aye.

--Caldwell Manufacturing

On a motion made by J. Popli and seconded by M. Worboys-Turner, a resolution was adopted approving a \$200,000 increase in project costs to \$600,000. Incremental benefits \$16,000. Original approval December 15, 2015. All Aye.

-491 Elmgrove Park LLC

On a motion made by E. Caccamise and seconded by M. Siwec, a resolution was adopted approving a \$350,000 increase in project costs to \$730,000. Incremental benefits \$35,516. Original approval September 17, 2013. All Aye.

- Unither Manufacturing LLC

On a motion made by C. Campbell and seconded by M. Worboys-Turner, a resolution was adopted approving transfer of a portion of the property to adjacent property owners. All Aye.

-50 Chestnut Ventures

The application was tabled by the board pending additional information.

-Morgan Court Street Apartments

On a motion made by J. Popli and seconded by M. Siwec, a final resolution was adopted approving subject project. All Aye.

Chair Mazzullo opened the Public Forum. Wendy Nolan offered comments regarding recent events involving I Square LLC, noting their personal financial investment in the project and the new jobs created at the project and COMIDA's response, and requested an investigation by the COMIDA ethics officer. Mike Nolan offered comments regarding recent events involving I Square LLC, with specific questions regarding the timeline of events, actions, memo, press release and the default determination process, and corrective actions to be undertaken by COMIDA.

Joanne Sasse directed her remarks to Eugene Caccamise, as the COMIDA Ethics officer. Ms. Sasse expressed concern with the image of Monroe County in light of recent events involving I Square LLC, the photonics center and Navitech project. Ms. Sasse asked Eugene Caccamise, as Ethics Officer, to provide information regarding I Square events, projects in default, recently approved projects, projects on today's agenda, clawbacks and job creation requirements. There being no further speakers, the Public Forum was closed. Chair Mazzullo closed the Public Forum, noting that COMIDA is open to resolving issues.

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