



COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY

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## MINUTES – AGENCY MEETING – January 20, 2009

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, L. Doyle,  
R. Hurlbut, H. Stuart

Also Present: J. Seil (Executive Director), W. Zyra (President, Monroe County Legislature),  
E. Liberti, M. Townsend, Esq.

Chair Mazzullo called the meeting to order. L. Doyle led the Pledge of Allegiance.

Executive Director Judy Seil presented the 2008 Annual Board Report. This included a brief discussion of the history of COMIDA, its organization and the myths and realities of Industrial Development Agencies. Director Seil reviewed 2008 activities. During 2008, COMIDA approved 42 new projects, with a total investment in excess of \$198 Million and projected new jobs of 882. These projects have a 3 to 1 Benefit to Incentive ratio, with these projects generating benefits estimated at \$58 Million, vs. incentives of \$19 Million. Director Seil also reviewed other Economic Development efforts including Executive Outreach calls by County Executive, Maggie Brooks, over 202 client meetings conducted by staff, 46 presentations to business groups with over 360 people in attendance and a quarterly newsletter sent to over 2,550 local businesses people. Total projects approved in 2007, including COMIDA, Monroe County Industrial Development Corporation and the Empire Zone was 141, with an investment in excess of \$308 Million, projecting to create 1,870 new jobs. Director Seil thanked all of the staff for their efforts over the past year.

COMIDA partnerships with The Entrepreneur's Network, the Greater Rochester Enterprise and the Procurement Technical Assistance Center were reviewed, along with the newest initiative of County Executive Brooks, the "Monroe Manufactures Jobs" program. The County Executive's commitment to 100% Local Labor was reviewed. Since 2004, the 214 construction projects approved by COMIDA included \$891 Million in construction and site work, generated 7,718 construction jobs. 2008 accomplishments include implementation of the Manufacturing Rewards program, creation of the Monroe Manufacturers Jobs program, expansion of the LocalLabor area, enhanced 1099 enforcement and funding of the Apprenticeship program. 2009 goals include continuing ongoing board education and adherence to the Public Authorities Accountability Act, increased marketing of Economic Development programs, continued joint calling efforts with our Economic Development partners and GRE and promotion of local labor and local.

Chair Mazzullo opened the Public Forum. Bob DeNoto, IBEW Local 86, offered comments regarding prevailing wage requirements and inquired about the board's interest in additional information about the economic impact of prevailing wages requirements. There being no further speakers, the Public Forum was closed.

Director Seil indicated that there were no requests for Verified Exemptions during the last month.

Dick Usselman of Loewke & Brill Consulting presented the Monitoring Report for the period of December 1, 2008 through January 2, 2009. During that time, 28 monthly visits were made and 3 follow up visits were conducted. Of the 295 workers that were identified, 7 were noncompliant on the initial visit. All of these workers were compliant on the follow up visit that was performed within 24 hours. As of January 2, 2009 all sites were compliant. Loewke & Brill delivered a sign to one new project, and one project was completed. At the invitation of Director Seil, Mr. Usselman described the procedure agreed upon with the New York State Attorney General's office with regard to the enhanced 1099 monitoring.

J. Seil presented the following applications for agency consideration:

**Nixon Peabody, LLP** (Lease/Leaseback)

The company was represented by John Hood. Nixon Peabody, LLP is a full-service, international law firm with 825 attorneys in 19 locations worldwide. Nixon Peabody has been a tenant in the Clinton Square Building since 1990 and will be signing a long-term lease extension to remain in the City of Rochester. Nixon Peabody considered other locations outside Monroe County. Nixon Peabody currently leases the 4<sup>th</sup> and 9<sup>th</sup> – 14<sup>th</sup> floors and is proposing \$7.4 million in renovations to update and improve space and accommodate Nixon Peabody's new "Global Operations Center" servicing all Nixon locations. The City of Rochester is supportive of the project and has requested assistance through COMIDA. Nixon Peabody currently employs 373 FTE in Monroe County and expects to create 20 new FTE within three years. The applicant seeks approval of Special PILOT proposed by the City of Rochester. A Public Hearing was held in the City of Rochester on January 15, 2009. After a brief discussion and on a motion made by R. Hurlbut and seconded by A. Burr, an inducement and final resolution was adopted approving subject project. All Aye.

**Property Services, Inc.** (EquiPlus)

The company was represented by Frank Spezio. Spezio Property Services, Inc. (Spezio) is a full-service property and facilities management company serving industrial and commercial customers in the Finger Lakes Region. Spezio is proposing to purchase four new Victory sweeper trucks for a combined cost of \$294,793. Spezio employs 26 in Monroe County and expects to create 3 new FTE 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 L. Doyle and seconded by R. Hurlbut, an inducement resolution was adopted approving subject project. All Aye.

**Ted Hosmer Enterprises, Inc.** (EquiPlus)

The company was represented by Ted Hosmer. Ted Hosmer Enterprises, Inc. (Hosmer) provides landscaping and snow removal services for commercial customers in the Central NY area. Hosmer is proposing to purchase new snowplowing trucks, salt spreaders and lawnmowers to service a new commercial contract. The combined cost of the equipment is \$196,074. Hosmer employs 40 in Monroe County and expects to create 4 new FTE 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 H. Stuart and seconded by A. Burr, an inducement resolution was adopted approving subject project. All Aye.

On motion made by A. Burr and seconded by R. Hurlbut minutes for the meetings of December 16, 2008 and December 30, 2008 were reviewed, adopted and approved. All Aye.

Executive Director Seil noted that a full transcript of the December 29, 2008, along with the 2008 Annual Report will be available on the COMIDA website at [www.growmonroe.org](http://www.growmonroe.org).

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

**Termination:**

**Tygraken LLC (Rochester Precision Optics)**

On a motion made by L. Doyle and seconded by H. Stuart, a resolution was adopted for termination of subject project All Aye.

**Miscellaneous:**

**55 Railroad Street Associates**

On a motion made by A. Burr and seconded by R. Hurlbut, a resolution was adopted approving an increase in the project amount from \$1,438,025 to \$1,838,025 to complete the final phase of the project. All Aye.

**West Linden Properties LLC**

On a motion made by A. Burr and seconded by R. Hurlbut, a resolution was adopted approving a transfer of ownership for estate planning purposes for the project. All Aye.

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