

**MINUTES – AGENCY MEETING – March 19, 2013**

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

Board Present: T. Mazzullo (Chair), C. Campbell,  
R. Gerbracht, 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. S. Moore 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 2012 Annual Board Report. During 2012, COMIDA approved 37 new projects, with a total investment in excess of \$266 Million and projected new jobs of 1,420. These projects have a 5 to 1 Benefit to Incentive ratio, with these projects generating benefits estimated at \$114 Million, versus incentives of \$15 Million. Director Seil also reviewed several COMIDA projects including Bryant & Stratton, Hammer Packaging, Orafol, G-S Plastics Optics, North American Breweries, Passero Associates, The Temple Building and Your Local Pharmacy. Director Seil thanked all of the staff and Board of Directors for their efforts over the past year. E. Liberti was recognized for her forty years of devoted service to COMIDA. Director Seil also thanked Economic Development partners including the City of Rochester, the Greater Rochester Enterprise, High Tech of Rochester, The Entrepreneur's Network and the Procurement Technical Assistance Center.

Yvonne Lowrey of Loewke Brill Consulting Group, Inc. presented the Monitoring Report for the period of February 1, 2013 – February 28, 2013. During that time, 60 monthly visits were conducted. Of the 445 workers that were identified, none were noncompliant on the initial visit. As of February 28, 2013 all monitored sites were compliant. Loewke & Brill delivered signs to 2 new projects.

J. Seil presented the following applications for agency consideration:

**I – Square Lease/Leaseback with custom abatement**

The company was represented by Mike Nolan. I-Square LLC is proposing a mixed use development in the Town of Irondequoit. The project includes the construction of seven new buildings, outdoor amphitheater, parking and residential space. The \$9.9 Million project is projected to create 12 new FTEs over the next three years. The applicant is seeking approval of a custom abatement program. The Town of Irondequoit is supportive of the project. A Public Hearing was held in the Town of Irondequoit on March 18, 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 H. Stuart and seconded by S. Moore, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by R. Gerbracht and seconded by C. Campbell, an inducement and final resolution was adopted approving subject project. All Aye.

**ITT Power Solutions Inc.                      Sales Tax Exemptions Only**

The company was represented by Tina Zinger. ITT Space Systems LLC (ITT), a global supplier of remote sensing and navigation solutions that provide sight and situational awareness at the space, airborne, ground and soldier levels, is proposing to relocate their Massachusetts operations to their existing site at 800 Lee Road in the Town of Greece. The \$3.65 Million project will renovate and equip existing space to accommodate the new operation and is projected to create 50 new FTEs over the next three years. The applicant is seeking approval of sales tax exemptions only. A Public Hearing was held in the Town of Greece on March 18, 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 H. Stuart and seconded by S. Moore, an inducement resolution was adopted approving subject project. All Aye.

**Alexander East LLC                              Lease/Leaseback with JobsPlus**

The company was represented by Timothy Poley. Alexander East LLC (AE) is proposing to renovate the Alexandrian apartments, a 55,400 square foot building located on 1.94 acres at Alexander Street and East Avenue in the City of Rochester. AE plans to renovate the property and create sixty apartments, parking and retail space. The \$7.5 Million project is projected to create 6 new FTEs over the next three years. The applicant is seeking approval of the JobsPlus property tax abatement program. The job creation requirement is 1 FTEs. The City of Rochester is supportive of the requested abatement as it will significantly enhance the neighborhood's revitalization efforts. A Public Hearing was held in the City of Rochester on March 19, 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 S. Moore and seconded by H. Stuart, an inducement resolution was adopted approving subject project. All Aye.

**Elmer W. Davis Inc.                              Sales Tax Exemptions Only**

The company was represented by Riley Curran. Elmer W. Davis Inc. (ED), a commercial roofing contractor located in the City of Rochester was founded more than 50 years ago and provides commercial roofing and sheet metal services. To accommodate continued growth, ED is proposing to invest in additional truck equipment. The \$88,000 project will impact 145 FTEs and is projected to create 2 new FTEs over the next three years. ED 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 C. Campbell and seconded by H. Stuart, an inducement resolution was adopted approving subject project. All Aye.

**Employee Relations Associates Inc.                      Sales Tax Exemptions Only**

Employee Relations Associates Inc. (ERA), founded in 1985, provides career transition, executive and professional search, human resources consulting and staffing services. To accommodate additional growth, ERA is proposing to invest in upgrading equipment, computers, furniture and workstations. The \$115,000 project will impact 18 FTEs and is projected to create 2 new FTEs over the next three years. ERA 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 S. Moore, an inducement resolution was adopted approving subject project. All Aye.

**Riverview Commons LLC                              Lease/Leaseback with JobsPlus**

The company was represented by Stewart Baker. Riverview Commons I LLC (Riverview) is proposing to renovate two existing adjacent apartment buildings located at Water Street and Andrews Street in the City of Rochester. The \$4,225,000 project will completely redesign the buildings, upgrade security and technology, and add 16 additional loft apartments. The project is projected to create 2 new FTEs over the next three years. The applicant is seeking approval of the JobsPlus property tax abatement program. The job creation requirement is 1 FTE. 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 C. Campbell and seconded by S. Moore, an inducement resolution was adopted approving subject project. All Aye.

## **End 2 End Sports LLC**

## **Mortgage Tax Only**

End 2 End Sports LLC will be purchasing the Monroe County Sports Centre operation for \$4 million. The 4 rink arena built in 1999 is in need of mechanical updating. The new owners propose to invest approximately \$720,000 in mechanical upgrades. The upgrades are necessary to address humidity issues which have led to some events leaving the rink. Request is for mortgage tax exemption. After a brief discussion and on a motion made by H. Stuart and seconded by C. Campbell, an inducement resolution was adopted approving subject project. All Aye.

On motion made by S. Moore and seconded by C. Campbell, minutes for the meeting of February 19, 2013 were reviewed and adopted and approved. All Aye.

Executive Director Seil reviewed the Mission Statement and Performance Measurement Report.

On motion made by C. Campbell and seconded by S. Moore, a resolution was adopted approving the following officer nominations: Theresa Mazzullo – Chair, Steve Moore – Vice Chair, Hank Stuart – Secretary, Ann Burr – Treasurer, Rosalind Gerbracht – Asst. Treasurer. All Aye.

On a motion made by H. Stuart and seconded by S. Moore, a resolution was adopted approving the following: Governance Committee Charter/Members (Hank Stuart – Chair, Clint Campbell, Theresa Mazzullo), Audit Committee Charter/Members- (Ann Burr – Chair, Rosalind Gerbracht, Stephen Moore), PILOT Review committee Policy/Members (Theresa Mazzullo – Chair, Rosalind Gerbracht, Hank Stuart) , and Finance committee Charter/Members (Stephen Moore – Chair, Rosalind Gerbracht, Ann Burr); was approved. All Aye.

Governance Committee Chair H. Stuart reported on the Governance Committee meeting of February 5, 2013, noting that the policies, charters and bylaws were reviewed with no changes recommended. The committee also reviewed current best practices noting that COMIDA's benefit/incentive model, developed in conjunction with the Center for Governmental Research, is being proposed as a statewide model and that COMIDA's local labor policy continues to be one of the few adopted in New York State. There were no contracts to be reviewed the Governance Committee. The Governance Committee reviewed and compiled the committee self-evaluation and the full board self-evaluation. The next meeting of the Governance Committee will be September 17, 2013.

On a motion made by H. Stuart and seconded by S. Moore, a resolution was adopted approving the following policies and appointments: Bylaws, Code of Ethics, Ethics Officer – S. Moore, Mission Statement and Performance Measures, 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, Governance, Finance and Audit Committee charters and Uniform Tax Exemption Policy. All Aye.

R. Gerbracht reported that the Audit Committee met with The Bonadio Group on February 28, 2013 to review the COMIDA audit. Ms. Gerbracht was pleased to report the audit was clean and then turned the review of the audit over to Heidi Bresler of The Bonadio Group. After a brief discussion, on a motion made by H. Stuart and seconded by C. Campbell, the 2013 Audit was accepted. All Aye.

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

**Miscellaneous:**

**CTLA LLC/200 Canal View Blvd.**

On a motion made by H. Stuart and seconded by S. Moore, a resolution was adopted approving new tenants – Neuro-Ophthalmology of Rochester/Excell Securities/Newcastle Press/Independent Title Agency LLC. All Aye.

**Alexander Properties of Rochester LLC)**

On a motion made by H. Stuart and seconded by C. Campbell, a resolution was adopted approving an increased project amount from \$680,000 (approved September 2012) to \$727,000 (\$47,000 increase). All Aye.

**Maximus Inc.**

On a motion made by R. Gerbracht and seconded by H. Stuart, a resolution was adopted approving an increased project amount from \$1,590,600 (approved February 2012) to \$2,728,500 (\$1,137,900 increase). All Aye.

**Gallina/600 Mile Crossing**

On a motion made by R. Gerbracht and seconded by C. Campbell, a resolution was adopted approving a new tenant, Function 5 Technology Group LTD. All Aye.

**Eastman Kodak**

On a motion made by R. Gerbracht and seconded by C. Campbell, a resolution was adopted approving the sale of Eastman Kodak Building/115 Canal Landing Boulevard to Fuller Road Management Corporation. All Aye.

**DPI Consultants**

On a motion made by H. Stuart and seconded by R. Gerbracht, a resolution was adopted approving an increased project amount from \$1,640,000 (approved November 2011) to \$1,890,000 (\$250,000 increase). All Aye.

**7352 Rt. 96, LLC**

On a motion made by R. Gerbracht and seconded by C. Campbell, a resolution was adopted to approve the assumption of the existing PILOT on 240 Commerce Drive by Schuler Haas. All Aye.

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