



MINUTES – AGENCY MEETING – September 15, 2009

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

Board Present: H. Stuart (Acting Chair), A. Burr, L. Doyle, S. Moore

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

Acting Chair H. Stuart called the meeting to order. At the invitation of the Acting Chair, Jim Stinson, Democrat & Chronicle, led the Pledge of Allegiance.

Acting Chair Stuart opened the Public Forum. Ray Tierney, Town of Brighton Councilman, spoke in support of the 2109 S. Clinton Avenue LLC project. Tom Stevens, Operating Engineers Union, thanked the board for rescinding the benefits approved for a local project when the “all local labor” requirement was violated. There being no further speakers, the Public Forum was closed.

There was no report on the Requests for Verified Exemptions.

Dick Usselman of Loewke & Brill Consulting presented the Monitoring Report for the period of August 3-28, 2009. During that time, 16 monthly visits were conducted. Of the 70 workers that were identified, none were noncompliant on the initial visit. As of August 28, 2009 all monitored sites were compliant. Loewke & Brill delivered signs to 1 new project.

J. Seil presented the following applications for agency consideration:

RCC Henrietta, LLC (Lease/leaseback)

The company was represented by Shawn O’Donnell. RCC Henrietta, LLC proposes to construct an 11,352 square foot building on 2.54 acres in the Town of Henrietta, adjacent to the Wegmans supermarket. The building, which will house a Doodlebugs! day care center, will have classrooms, a two-story interior play village, computer lab, parent’s lounge, and large outdoor playground. The total investment in the project is \$2.5 million and will result in the creation of 35 FTEs. The company seeks approval of JobsPlus based on the use of 100% local labor and suppliers to construct the project. The JobsPlus job creation requirement is 1 FTE. A Public Hearing was held in the Town of Henrietta on September 14, 2009 with no comments from the public. After a brief discussion and on a motion made by A. Burr and seconded by S. Moore, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by L. Doyle and seconded by S. Moore, an inducement resolution was adopted approving subject project. All Aye.

2109 South Clinton Ave., LLC (Lease/leaseback)

The company was represented by Russ Grosjean. 2109 South Clinton Avenue, LLC is proposing to construct an office building in the Town of Brighton, which will be occupied by Susan Spoto, DDS. Susan Spoto, DDS practice focuses on the research and development of alternative appliances for the treatment of sleep apnea. Spoto utilizes biometrics to develop more sophisticated and customized appliances with increased bio-capability. The 6,600 square foot facility will allow Spoto to expand research and development space and begin fabricating appliances for the medical and dental community. Spoto will also begin offering an individualized training program in appliance titration (adjustment) for para-professionals. The \$1.5 million project will impact 7 FTE and is projected to create 9 new FTE within three years. The applicant seeks approval of JobsPlus property tax abatement. The Jobs Plus job creation requirement is 1 FTE. A Public Hearing was held in the Town of Brighton on September 10, 2009 with no comments from the public. After a brief discussion and on a motion made by L. Doyle and seconded by A. Burr, 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.

1157, LLC (Lease/leaseback)

The company was represented by Chip Russell. 1157, LLC is proposing to construct a 9,440 square foot building at the corner of Fairport Road and Sunset Trail in the Town of Perinton. The building will be occupied by Premier Fitness of Fairport, LLC (Premier), a nationally franchised gym and fitness center with one existing location in Monroe County. The facility will be constructed using energy efficient materials which will qualify the building for LEED Certification from the United States Green Building Council. The \$1.6 million project is projected to create 12 new FTE within three years. The applicant seeks approval of the Green JobsPlus property tax abatement. The Green Jobs Plus job creation requirement is 1 FTE. A Public Hearing was held in the Town of Perinton on September 15, 2009 with no comments from the public. After a brief discussion and on a motion made by L. Doyle and seconded by S. Moore, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by S. Moore and seconded by A. Burr, an inducement resolution was adopted approving subject project. All Aye.

280 Kenneth Drive, LLC (Lease/leaseback)

The company was represented by Tom Englert. 280 Kenneth Drive, LLC is proposing to construct and equip a 52,600 square foot building on approximately 6.33 acres located at 280 Kenneth Drive in the Town of Henrietta. Approximately 35,000 square feet of the facility will be leased to EFP Rotenberg, LLP. EFP Rotenberg, LLP was formed as a result of a merger this year between Eldredge, Fox & Porretti, LLP and Rotenberg & Co, LLP. The firm currently operates out of two separate locations in Monroe County. EFP Rotenberg, LLP provides a wide range of accounting, auditing, tax consultation, planning and preparation, and financial planning services. The \$6.4 million project will impact 113 existing employees and is projected to create 12 new FTE within three years. The applicant seeks approval of JobsPlus property tax abatement. The Jobs Plus job creation requirement is 12 FTE. A Public Hearing was held in the Town of Henrietta on September 14, 2009 with no comments from the public. After a brief discussion and on a motion made by A. Burr and seconded by S. Moore, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by L. Doyle and seconded by S. Moore, an inducement resolution was adopted approving subject project. All Aye.

CGI Communications Inc. (Sales Tax Only)

The company was represented by Tim Corcoran. CGI Communications delivers high impact marketing and promotional products to municipalities, chambers of commerce and associations nationwide. Products include web based videos, video kiosks, digital community maps and video displays for windows. CGI recently purchased an additional 4 floors at 130 East Main Street, now owning 9 of the 12 floors. CGI will invest \$500,000 in the renovation of the 4 floors and purchase \$900,000 in computers, servers, telephones, copiers and production equipment over a two year period. CGI currently employs 170 within Monroe County and will be creating 150 new FTE within 3 years. The applicant seeks approval of sales tax exemption only. After a brief discussion and on a motion made by S. Moore and seconded by A. Burr, an inducement resolution was adopted approving subject project. All Aye.

Acting Chair Stuart noted that over \$12 Million in investment was approved for assistance at this meeting, and he thanked Executive Director Seil and her staff for their efforts.

On motion made by S. Moore and seconded by A. Burr, minutes for the meeting of July 21, 2009 were reviewed and adopted and approved. All Aye.

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

Final Approval/Over \$100,000

-High Falls Operating Co.

A Public Hearing on the project was held in the City of Rochester on August 18, 2009 with no comments from the public. On a motion made by A. Burr and seconded by L. Doyle, a final resolution was adopted for this project. All Aye.

Miscellaneous

**-DePaul Community Facilities, Inc. Woodcrest Commons Project
And Westwood Commons Project**

On a motion made by L. Doyle and seconded by S. Moore, a resolution was adopted approving amendments to recast financial covenants of Bond and Indenture documents for the above projects. All Aye.

-DePaul Community Facilities, Inc. Main Street Facilities

On a motion made by A. Burr and seconded by S. Moore, a resolution was adopted approving early payment of the Bond and Indenture for the above project. All Aye.

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