

MINUTES – AGENCY MEETING – October 20, 2015

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), R. Yolevich (Monroe County Legislature),
E. Liberti, M. Townsend, Esq.

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

Chair Mazzullo opened the Public Forum. Joanne Sasse offered comments regarding the minutes of the September 15, 2015 meeting, public forum decorum, cost/benefit ratios and the applications to be considered by the board. There being no further speakers, the Public Forum was closed.

A report on the Requests for Verified Exemptions was presented by Brian LaFountain of The Bonadio Group. During the last month, The Bonadio Group has received two requests for exemption from the local labor requirements; one for the Love Beets project, under the criteria “specialized labor” and one for the C&P Equities project, under the criteria “warranty requirement “. Mr. LaFountain reported that upon review, the Bonadio Group found the requests valid.

Yvonne Lowrey of Loewke Brill Consulting Group, Inc. presented the Monitoring Report for the period of September 1, 2015 – September 30, 2015. During that time, 59 monthly and 8 follow up visits were conducted. Of the 401 workers that were identified, 16 were noncompliant on the initial visit. As of September 30, 2015 all monitored sites were compliant. Loewke & Brill delivered signs to 3 new projects.

P. Johnson presented the following applications for agency consideration:

Riverwood Tech Campus LLC

Lease/Leaseback with Custom Pilot

The company was represented by Fred Rainaldi Jr. Riverwood Tech Campus LLC, a Rainaldi real estate development company, is proposing the acquisition and renovation of the former Kodak Marketing Education Center on 150 acres in the Town of Henrietta. First opened in 1971, the long vacant property consists of 350,000 square feet of outdated and inefficient space. The \$19,400,000 project will create modern and efficient space for as many as twenty high tech, assembly and light industrial tenant companies. The applicant is seeking approval of custom property tax abatement, supported by the Town of Henrietta. The Benefit/Incentive ratio is 2.03:1. A Public Hearing was held in the Town of Henrietta on October 19, 2015. 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 E. Caccamise, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by M. Siwec and seconded by J. Popli, an inducement resolution was adopted approving subject project. All Aye.

MC-USL Ventures I LLC / The Cottages at East River**Lease/Leaseback Shelter Rents**

The company was represented by Jerry Goldman and Tom George. MC-USL Ventures I LLC, a joint venture of Morgan Acquisitions LLC and University Student Living LLC, is proposing a cottage style student housing development on 56 acres in the Town of Henrietta. The 300,000 square foot development will include 85 two-story cottage style buildings with 172 units, housing 687 students. The \$47,353,250 project is projected to create 9 new FTEs over the next three years. The applicant is seeking approval of a Shelter Rent property tax abatement. The Town of Henrietta is supportive of the PILOT. The Benefit/Incentive ratio is 8.8:1. A Public Hearing was held in the Town of Henrietta on October 19, 2015. 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. Worboys-Turner, 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.

Chosen Spot LLC**Lease/Leaseback with JobsPlus**

The company was represented by Lauren Dixon. Chosen Spot LLC, a real estate holding company, is proposing an 8,500 square foot expansion to an existing 14,353 square foot building on 2.2 acres in the Town of Perinton. The building is leased to a related entity, Dixon Schwabl Advertising Inc., a full-service advertising, public relations and digital media agency named to the Top 25 Best Small Companies to Work for In America for eleven consecutive years. The expansion will accommodate the continued significant growth in the business. The \$2,045,000 project will impact 92 FTEs and is projected to create 10 new FTEs over the next three years. The applicant is seeking approval of JobsPlus property tax abatement. The job creation requirement is 9 FTE. Dixon Schwabl is seeking approval of sales tax exemptions on \$300,000 of furniture, fixtures and equipment. The Benefit/Incentive ratio is 3.2:1. A Public Hearing was held in the Town of Perinton on October 19, 2015. 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 E. Caccamise, a resolution was adopted approving SEQR for the subject property. A. Burr abstained. All others Aye. On a motion made by E. Caccamise and seconded by M. Siwec, an inducement resolution was adopted approving subject project. A. Burr abstained. All others Aye.

Tower 195 LLC**Sales Tax Exemptions Only**

The company was represented by Andy Gallina and Patrick Dutton. Tower 195 LLC, a Gallina Development real estate entity, is proposing the redevelopment of the partially vacant Chase Tower in the City of Rochester. The approximately 470,000 square foot building, located on 1.5 acres, will be redeveloped into a mixed use commercial & residential building offering commercial office space on Floors 4-13, market rent apartments on Floors 14-21 and for sale condominiums on Floors 22-26. Additional improvements will enhance the entry, exterior lighting, and main lobby and add new elevators. The \$4,910,000 project is projected to create 4 new FTEs over the next three years and increase occupancy 300%. The applicant is seeking approval of sales tax exemptions only. The Benefit/Incentive ratio is 2.4:1. A Public Hearing was held in the City of Rochester on October 20, 2015. 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 A. Burr, an inducement resolution was adopted approving subject project. All Aye.

ELR Associates LLC**Lease/Leaseback with JobsPlus**

The company was represented by Marc Hurlbut. ELR Associates LLC, a real estate holding company, is proposing the acquisition, renovation and equipping of an existing manufacturing facility in the City of Rochester. The 65,772 square foot location will be leased to related manufacturing entities, and will consolidate three existing operations to a more efficient, centrally located building with sufficient room to accommodate growth. The \$3,564,750 project will impact 23 FTEs and is projected to bring 121 FTEs to Monroe County and create 63 new FTEs over the next three years. The applicant is seeking approval of the JobsPlus property tax abatement. The City of Rochester is supportive of the project. The job creation requirement is 3 FTEs. Syntec Technologies Inc. is seeking approval of sales tax exemptions to renovate, equip and furnish space for operations. The Benefit/Incentive ratio is 21.3:1. A Public Hearing was held in the City of Rochester on October 20, 2015. 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 C. Campbell, an inducement resolution was adopted approving subject project. All Aye.

Lion's Den 412 Properties LLC**Lease/Leaseback with JobsPlus**

The company was represented by Ray Brown. Lion's Den 412 Properties LLC, a real estate holding company, is proposing the acquisition, renovation and equipping of an existing 17,903 square foot building on 6.38 acres in the Town of Brighton. The building will be leased to a related entity, Emerging 1 LLC which provides staffing and managed services in the areas of sales, marketing and operations to US and international customers. The \$2,320,000 project will impact 15 FTEs and is projected to create 10 new FTEs over the next three years. The applicant is seeking approval of JobsPlus property tax abatement. The job creation requirement is 2 FTE. Emerging 1 Inc. is seeking approval of sales tax exemptions on furniture and fixtures. The Benefit/Incentive ratio is 7.1:1. A Public Hearing was held in the Town of Brighton on October 19, 2015. 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 J. Popli and seconded by M. Worboys-Turner, an inducement resolution was adopted approving subject project. All Aye.

Top Capital of New York Brockport LLC**Lease/Leaseback with JobsPlus**

The company was represented by Christopher Kotary and Timothy Cooper. Top Capital of New York Brockport LLC (TCNYB), a real estate development company, is proposing the construction of a 90 unit independent and assisted senior living residence in the Town of Sweden. The project will include two four-story buildings connected by a common area, totaling 102,000 square feet on 7.55 acres. The 417,418,500 project will impact 1 existing FTE and is projected to create 62 new FTEs over the next three years. The applicant is seeking approval of JobsPlus property tax abatement. The job creation requirement is 1 FTE. The Benefit/Incentive ratio is 3:1. A Public Hearing was held in the Town of Sweden on October 19, 2015, and the Town of Sweden provided a Letter of Support. 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 A. Burr, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by M. Siwec and seconded by E. Caccamise, an inducement resolution was adopted approving subject project. All Aye.

Due to previous commitments, J. Popli and M. Siwec excused themselves from the meeting.

Van Hook Service Co., Inc.**Sales Tax Exemptions Only**

The company was represented by M. Van Hook. Van Hook Service Co., Inc. (VH), founded in 1973, provides industrial, commercial and public sector refrigeration and air conditioning services. VH is proposing to invest \$275,000 to purchase up to eight fleet vehicles. VH currently employs 43 FTEs and expects to create 2 new full-time positions. VH has been approved for the GreatRebate program through Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program. The Benefit/Incentive ratio is 3.8:1. After a brief discussion and on a motion made by C. Campbell and seconded by M. Worboys-Turner, an inducement resolution was adopted approving subject project. All Aye.

Butler/Till Media Services Inc.**Sales Tax Exemptions Only**

The company was represented by Sue Belias. Butler/Till Media Services Inc. (B/T) is a full-service media planning and buying agency founded in 1998 by Sue Butler and Tracy Till. In 2010, B/T relocated to Eagles Landing Business Park in the Town of Henrietta where they occupy 17,670 square feet of office space. Due to continued growth in the company, B/T is proposing to expand to an additional 4,378 square feet and will be investing \$370,000 in office furniture, wiring/cabling, IT equipment, networking switches and office equipment. B/T has been approved for the GreatRebate program through Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program. The Benefit/Incentive ratio is 4.2:1. After a brief discussion and on a motion made by M. Worboys-Turner and seconded by A. Burr, an inducement resolution was adopted approving subject project. All Aye.

The company was represented by Jack Wade. Columbia Care NY LLC (CCNY) is one of only five licenses granted by the New York State Department of Health for the manufacture and dispensing of medical marijuana under New York State's Compassionate Care Act. CCNY is owned by Columbia Care LLC which currently owns and operates manufacturing and dispensing facilities in DC, Arizona, Massachusetts and Illinois. In September 2015, COMIDA approved assistance for CCNY's cultivation facility at Bldg. 12 in the Eastman Business Park (EBP) in the City of Rochester. This \$510,000 project includes the renovation and equipping of the former ES & L branch location at Bldg. 28 at EBP to create a highly secure dispensary. CCNY currently employs 2 FTEs and expects to create 6 new full-time positions in this dispensary. CCNY has been approved for the GreatRebate program through Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program. The Benefit/Incentive ratio is 37:1. 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.

On motion made by A. Burr and seconded by E. Caccamise, minutes for the meeting of September 15, 2015 were reviewed and adopted and approved. All Aye.

A. Burr, Chair of the Finance Committee, reported on the committee meeting of October 6, 2015. A. Burr reviewed year-to-date versus budget performance and the proposed 2016 Budget. 2015 Fee Income is projected to be approximately \$2 Million, which is approximately \$856,000 better than budget largely due to increase in project activity, as well as the fees associated with several large projects (Bausch & Lomb - \$288,000, Morgan Picture Parkway - \$182,600, Columbia/Wegman Housing \$176,841). For Operating expenses, Wages & Benefits are over budget slightly due to higher mandated Retirement contribution, Professional fees are at budget and Other Operating expenses are under budget. Non-operating costs are projected to be slightly over budget due new funding to the Young Entrepreneurs Academy and the Rochester Music Hall of Fame. Projected net income of \$870,000 exceeds budget of \$56,000, again due to higher than budgeted fee income. Budget 2016 – Revenues projected at \$1,600,000 reflecting the backlog and pace of current activity, without the large projects. Operating Expenses include a 3% increase in Wages & Benefits, increased Professional Fees due to additional legal work for eBaums & Bersin. Community Investment for 2016 is budgeted flat to projected FY 2015. Projected net income of approximately \$384,000.

On a motion made by A. Burr and seconded by C. Campbell, a resolution was adopted approving the 2016 Budget as presented. All Aye.

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

Miscellaneous:

--Quality Vision International Inc.

Public Hearing held October 20, 2015. On a motion made by A. Burr and seconded by C. Campbell, a final resolution was adopted. All Aye.

--Riverview Equity

On a motion made by M. Worboys-Turner and seconded by E. Caccamise, a resolution was adopted approving a \$400,000 increase in project costs to \$9,400,000. All Aye. Original Approval September 2015.

--Charlotte Harbortown Homes Associates

On a motion made by E. Caccamise and seconded by C. Campbell, a resolution was adopted approving the transfer of the property to a new entity. No incremental benefits. M. Worboys-Turner abstained. All others Aye.

--Bersin Properties LLC

On a motion made by A. Burr and seconded by M. Worboys-Turner, a resolution was adopted authorizing the Acting Executive Director to execute documents relative to the discharge of the PILOT mortgage, to be held in escrow pending successful acquisition of the property by A. Ingrassia, subject to the consent of the Town and School district. All Aye.

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