



COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY

MINUTES – AGENCY MEETING – November 16, 2010

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

Board Present: T. Mazzullo (Chair), E. Caccamise,
R. Hurlbut, S. Moore, H. Stuart

Also Present: J. Seil (Executive Director), A. Daniele (Monroe County Legislature),
E. Liberti, M. Townsend, Esq.

Chair Mazzullo called the meeting to order. E. Caccamise led the Pledge of Allegiance.

Chair Mazzullo opened the Public Forum. There being no speakers, the Public Forum was closed.

J. Seil presented the following applications for agency consideration:

LeFrois Development, LLC (Lease/leaseback with JobsPlus)

The company was represented by Tony DiBarnaba. LeFrois Development, LLC proposes to construct a 48,000 square foot office building on 4.05 acres in the Calkins Road Business Park. Approximately 23,500 square feet of space will be leased to Benefit Resource, Inc. (BRI), a third-party administrator of tax-free employee benefits which include flexible spending accounts, health reimbursement accounts, and health savings accounts. BRI was founded in 1993 and today administers plans for more than 1,600 employers nationwide. The \$5.7 million project is projected to create 20 new FTE within three years. The applicant seeks approval of JobsPlus property tax abatement. The JobsPlus job creation requirement is 8 FTE. A Public Hearing was held in the town of Henrietta on November 15, 2010. After a brief discussion and on a motion made by H. Stuart and seconded by E. Caccamise, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by R. Hurlbut and seconded by H. Stuart, an inducement resolution was adopted approving subject project. All Aye.

Executive Director Seil invited Rich LeFrois of LeFrois Development to provide an overview of the development. Mr. LeFrois indicated that within the last 12 years, his company has built over 750,000 square feet of commercial space in this office park, which now houses approximately 4,000 employees.

Benefit Resource, Inc.**(EquiPlus)**

The company was represented by Tony DiBarnaba. Benefit Resource, Inc. (BRI) is a third-party administrator of tax-free employee benefits which include flexible spending accounts, health reimbursement accounts and health savings accounts. BRI was founded in 1993 and today administers plans for more than 1,600 employers nationwide. BRI will be investing \$500,000 in computer hardware and peripheral equipment. BRI employs 81 and expects to create 20 new full-time positions. BRI has been approved for the GreatRate 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 H. Stuart and seconded by S. Moore, an inducement resolution was adopted approving subject project. All Aye.

230 Middle Road, LLC**(Lease/leaseback with JobsPlus)**

The company was represented by Dennis Inc. 230 Middle Road, LLC proposes to construct a 12,500 square foot building on 1.5 acres at 230 Middle Road in the Town of Henrietta. The facility will be leased to Archival Methods, LLC (AM). AM is a designer, manufacturer and supplier of storage and presentation solutions for photographs, artwork and documents. Their customers include museums, archives and government institutions, including the Clinton Presidential Library. The \$890,000 project is projected to create 1 new FTE within three years. The applicant seeks approval of JobsPlus property tax abatement. After a brief discussion and on a motion made by H. Stuart and seconded by E. Caccamise, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by R. Hurlbut and seconded by E. Caccamise, an inducement resolution was adopted approving subject project. All Aye.

On motion made by H. Stuart and seconded by S. Moore, minutes for the meeting of October 19, 2010 were reviewed and adopted and approved. All Aye.

S. Moore, Chair of the Finance Committee, reviewed the proposed 2011 Budget. Overall, revenues are projected to be down slightly. The proposed budget includes reduction in expenses including Community Investment funds such as The Entrepreneurs Network and annual contribution to the Greater Rochester Enterprise. Executive Director Seil noted that the inability of IDAs to undertake Civic Facility bond projects is the direct contributing factor to lower revenues. On a motion made by H. Stuart and seconded by E. Caccamise, a resolution was adopted approving the 2010 Budget as presented. All Aye.

On a motion made by R. Hurlbut and seconded by S. Moore, a resolution was approved to adopt the Record Retention Policy and name Executive Director as Records Management Officer. All Aye.

H. Stuart, Governance Committee Chair, noted bylaw changes requested by the Governance Committee and prepared by COMIDA counsel. On a motion made by S. Moore and seconded by R. Hurlbut, the bylaws were amended as presented. All Aye.

Dick Usselman of Loewke & Brill Consulting presented the Monitoring Report for the period of October 1, 2010 and October 31, 2010. During that time, 48 monthly visits and 2 follow up visits were conducted. Of the 335 workers that were identified, two were noncompliant on the initial visit. As of October 31, 2010 all monitored sites were compliant. Loewke & Brill delivered signs to 6 new projects.

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

Terminations:

-155 BW LLC

-DePaul Properties, Inc.

-Goldwell of NY

On a motion made by E. Caccamise and seconded by H. Stuart, a resolution was adopted approving the termination of the above named projects. All Aye.

Miscellaneous:

-DePaul Properties, Inc.

On a motion made by H. Stuart and seconded by R. Hurlbut, a resolution was adopted approving the co-signing of a mortgage for the above named project. All Aye.

-Eagles Landing 1, LLC

On a motion made by H. Stuart and seconded by R. Hurlbut, a resolution was adopted approving additional tenant (Image Now) (Building #1); mortgage tax exemption for improvements Building #2 and mortgage tax exemption for improvements to Building #3. S. Moore abstained. All others Aye.

-Garden Trends, Inc. dba Harris Seeds

On a motion made by R. Hurlbut and seconded by S. Moore, a resolution was adopted approving a \$12,145 increase in project costs to \$98,145. All Aye.

-Innovative Solutions

On a motion made by H. Stuart and seconded by S. Moore, a resolution was adopted approving a \$25,000 increase in project costs to \$151,059. All Aye.

On a motion made by H. Stuart and seconded by R. Hurlbut, the board moved in to Executive Session.

On a motion made by the board moved out of Executive Session.

-Bersin Properties LLC

On a motion made by H. Stuart and seconded by E. Caccamise, a resolution was adopted approving the amendment of the existing Bersin Properties LLC PILOT agreement to extend milestones an additional two years with conditions including the requirement to remain current on any and all future PILOT payments. All Aye.

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