



MINUTES – AGENCY MEETING – November 20, 2007

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

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

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

Chair Mazzullo called the meeting to order. R. Hurlbut led the Pledge of Allegiance.

J. Seil presented the following applications for agency consideration:

Rochester Presbyterian Home, Inc. (Tax Exempt Civic Facility Bond)

The company was represented by Nancy Smyth. Rochester Presbyterian Home, Inc. (RPH), a not-for-profit corporation, has served Monroe County since 1925, providing comprehensive adult living and dementia care residential services. RPH is proposing an adult care residential project in the Town of Chili. RPH will be constructing four 10,215 square foot assist living residences which will house 12 elders each. These residences will follow the Eden alternative. The intent is to create a true home where elders can thrive. In addition, RHP will be making renovations to its existing adult home on Thurston Road. This \$7.8 million project will impact 4 existing FTEs, and is projected to create 34 new FTEs. The applicant is seeking up to \$7.5 million in tax exempt civic facility bonds. After a brief discussion and on a motion made by H. Stuart and seconded by R. Hurlbut, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by R. Hurlbut and seconded by S. Moore, an inducement resolution was adopted approving subject project. All Aye.

Calkins Corporate Park, LLC (Lease/leaseback with Jobs Plus)

The company was represented by J. Mackey. Calkins Corporate Park (Calkins) proposes to construct a new 16,000 square foot building at Calkins Corporate Office Park located off Calkins Road in the Town of Henrietta. Approximately 7,000 square feet of the new building will be occupied by Sorenson Communications, Inc. Founded in 2000 and headquartered in Salt Lake City, Utah, Sorenson is a pioneer of industry-leading communication services for the deaf and hard-of-hearing community. Sorenson currently provides video relay services at their current location at 300 Red Creek Drive. The new location will house a video-phone technical support group, which is expected to create 100 new FTEs over the next three years. The \$2,000,000 project will impact 10 existing jobs. The applicant seeks approval of JobsPlus based on the use of 100% local labor and suppliers to construct the project. The Jobs Plus job creation requirement is 1 FTE. 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 A. Burr and seconded by S. Moore, an inducement resolution was adopted approving subject project. All Aye.

National Ambulance & Oxygen Services, Inc.
dba Rural Metro Medical Services (Sales Tax Only)

The company was represented by D. Bonacchi. Rural Metro Medical Services (Rural Metro) has provided 911 ambulance services to the City of Rochester for the past 19 years. Rural Metro also provides emergency medical and transportation services for individual facilities and has mutual aid agreements with Monroe County volunteer organizations. Rural Metro will be purchasing 3 new ambulances at a combined cost of \$181,000. Rural Metro employs 189 FTE in Monroe County and expects to create 13 new full time positions. The company is seeking exemption from sales tax only. After a brief discussion and on a motion made by R. Hurlbut and seconded by H. Stuart, an inducement resolution was adopted approving subject project. All Aye. S. Moore abstained.

Gallina Development Corp. (Lease/Leaseback with JobsPlus)

The company was represented by K. Sertl. Gallina Development Corp. proposes to construct a new 20,488 square foot facility in the Town of Gates to be used as the main distribution center for RL Kistler, Inc. (Kistler). Kistler, founded in 1968, is a distributor of mechanical and electrical equipment, specializing in precision and specialized environmental air conditioning systems, power generating equipment and power conditioning equipment. The facility will cost approximately \$1,100,000 and will result in the retention of 20 FTEs and the creation of 2 FTEs over the next three years. The applicant seeks approval of JobsPlus based on the use of 100% local labor and suppliers to construct the project. The Jobs Plus job creation requirement is 2 FTE. After a brief discussion and on a motion made by H. Stuart and seconded by A. Burr, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by H. Stuart and seconded by A. Burr, an inducement resolution was adopted approving subject project. All Aye.

Midtown Athletic Club, LLC (Lease/Leaseback with JobsPlus)

The company was represented by Glenn William. Midtown Athletic Club, LLC (Midtown) is a multi-purpose health club situated on 10 acres in the City of Rochester. Midtown is planning to improve their 125,000 sq. ft. facility by expanding the indoor and outdoor areas and making internal renovations. A 13,000 sq. ft. building addition will include an indoor pool, equipment rooms and laundry. The outdoor expansion will include clay tennis courts and a new pool. The total project cost is \$6.6 million. Midtown employs 80 FTE and will be increasing its job base by 25 over the next three years. The company seeks approval of JobsPlus based on the use of 100% local labor and suppliers to construct the project. The Jobs Plus job creation requirement is 8 FTE. J. Seil commented that this application was being considered at the request of the City of Rochester Commissioner of Economic Development. After a brief discussion and on a motion made by H. Stuart and seconded by A. Burr, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by R. Hurlbut and seconded by S. Moore, an inducement resolution was adopted approving subject project. All Aye.

CooperVision, Inc. (Lease/leaseback - sales tax only)

The company was represented by J Ryan. CooperVision, Inc. is a manufacturer and distributor of contact lenses operating in Monroe County since 1959. CooperVision will be relocating a call center operation from Albuquerque, NM and investing \$500,000 to renovate and equip 36,000 square feet of additional office at 370 Woodcliff Drive. CooperVision currently employs 1,243 FTE at three facilities in Monroe County and will be creating 38 new full-time jobs. CooperVision is seeking approval for a sales tax exemption only. CooperVision was previously approved for assistance through COMIDA in 2005 for the construction of a new 241,000 square foot distribution facility in Henrietta. Employment at the time of application was 948 FTE with a requirement to create 21 new FTE. 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.

Bottling Group LLC (Sales tax only)

The company was represented by Paul Hudson. Bottling Group, LLC (Pepsi) currently operates a 70,000 square foot facility for its warehouse, product storage, fleet garage and regional marketing, finance, HR and Safety offices. Due to its continued growth, Pepsi has outgrown the facility. After considering relocation options, including closing the facility and consolidating operations to other Northeast facilities, Pepsi is proposing to relocate to an existing warehouse facility at the Rochester Technology Park in the Town of Gates. Renovations to the facility will be done by the landlord. Pepsi will be investing \$663,261 security equipment, racking and other equipment. The project will impact 119 existing employees. Request is for sales tax exemption only. After a brief discussion and on a motion

made by A. Burr and seconded by H. Stuart, an inducement resolution was adopted approving subject project. All Aye. S. Moore abstained.

Rochester Medical Transportation (EquiPlus)

The company was represented by B. Gasset. Rochester Medical Transportation (RMT) provides non-emergency medical transportation to medical and social appointments. RMT specializes in ambulatory, wheelchair and non-emergency stretcher transports. RMT will be purchasing 6 new wheelchair vans and 2 ambulatory vehicles. The combined cost of the equipment is \$191,000. RMT employs 19 in Monroe County and expects to create 2 new full time positions. The company has been approved for a GreatRate on the 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 R. Hurlbut and seconded by A. Burr, an inducement resolution was adopted approving subject project. All Aye.

Direct 2 Market Sales Solutions, LLC (EquiPlus)

The company was represented by T. Wagner. Direct 2 Market Sales Solutions, LLC (D2MSS) is a sales and marketing consulting firm that provides a variety of services including database development, project management and lead generation. D2MSS will be purchasing a phone system, computers, software and new workstations. The combined cost of the equipment is \$66,231. D2MSS employs 10 in Monroe County and expects to create 1 new full time position. The company has been approved for a GreatRate on the 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 R. Hurlbut, 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 16, 2007 were reviewed and adopted and approved. All Aye.

Chair Mazzullo announced that Dan Conte has tendered his resignation to the COMIDA Board. J. Seil presented Mr. Conte with a gift from the board, thanking him for his service. The gift, a metal US Flag, was created by Superior Technology, a Monroe County company. Chair Mazzullo noted that this would be the first meeting wherein the Public Comment section would operate under the Rules of Decorum adopted by the Board at the October 16, 2007 meeting. These guidelines were available at the podium for those who signed up to speak at the Public Comment section of the meeting.

Executive Director Seil presented the Monitoring Report as prepared by The Bonadio Group. For the period of October 15, 2007 – October 31, 2007, 42 monitoring visits were made to 22 sites. Twenty three of the visits were original visits: 19 were follow-up visits. Of the 224 workers that were identified, 7 were from outside the local labor area. These workers were not present on the follow up visit which was conducted within 24 hours. Year to date 2007, 461 visits have been made, with a 98.1% average compliance on the initial visit; 100% compliant within 24 hours.

J. Seil presented the draft COMIDA budget for 2008. On a motion made by R. Hurlbut and seconded by S. Moore, the budget was approved and adopted. The budget will be available on the website (www.growmonroe.org).

J. Seil presented the results of a survey of 225 beneficiaries who have received benefits since 2004. The survey, with a 22% response rate, sought input on the importance of COMIDA assistance and the local labor policy requirements. The survey will be available on the website.

J. Seil presented the following items for Agency Action:

Final Resolution:

-CentriLogic Inc.

On a motion made by H. Stuart and seconded by R. Hurlbut, a final inducement resolution was adopted for the above project. All Aye. A Public Hearing was held in the City of Rochester on October 22, 2007.

Miscellaneous:

-220 Kenneth Drive (LeFrois Dev.) – Approval of subleasing 10,000 sq. ft. to Waste Management

-Bersin Properties – Approval of execution of a Cross Default Agreement

-TBN Realty – Approval of refinance of mortgage

-Perinton Industrial Center – Approval of refinance of mortgage

On a motion made by R. Hurlbut and seconded by S. Moore, a resolution was adopted for the above projects. All Aye.

Terminations:

-Bausch & Lomb – 1400 N. Goodman Street

-Genencor International – 1700 Lexington Avenue

-Empire Beef – 171 Weidner Road

-Lifetime Assistance Inc. – approval to execute additional mortgages

On a motion made by R. Hurlbut and seconded by S. Moore, a resolution was adopted for termination of the above projects. All Aye.

-80 Bluff Drive

On a motion made by H. Stuart and seconded by S. Moore, a resolution was adopted for assumption of existing PILOT by new property owner, Creekside Holdings Company who will lease to JDL, a wholesale subsidiary of John Deere. All Aye.

The Public Forum was opened by Chair Mazzullo. Gary Swanson, Rochester Building Trades discussed local labor requirements as it applied to the Wegmans Culinary Center project. Ray Tierney, Town of Brighton, noted that in September 2007 he had submitted a letter and attachments for consideration. He noted that he has not received a response to date. Mr. Tierney indicated that he would resubmit his letter and attachments and he would like to receive a formal answer. David Snyderman stated there had been recent media stories regarding Coopervision and voter promotion efforts, and requested comment from the board. R. Gaenzle, as agency counsel, indicated that the Public Forum was not the appropriate forum to solicit comment from the Board. Bill Moehle, Town of Brighton Attorney, feels the Board would benefit from input from the general public and other governmental entities prior to decisions. Mr. Moehle referenced the October 16, 2007 minutes, specifically “M. Townsend noted that on all five forms, there is a required section to be completed by the Town Assessor and that on all 5 forms, that section was not complete.” Mr. Moehle noted that the forms are internal forms, used by the Town Assessor and are not required by Section 412A of the tax law or Section 874 of the General Municipal Law. Mr. Moehle also inquired about recapture of tax benefits used by the terminated Wellesley Inn project. There was further discussion about public comment and clarification of the Rules of Conduct and Decorum. The Public Forum was closed. There being no further business, on a motion made by R. Hurlbut and seconded by A. Burr, the meeting was adjourned.