

MINUTES – AGENCY MEETING – January 15, 2013

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

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

Also Present: J. Seil (Executive Director), 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.

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 one request for exemption from the local labor requirements for the Erie Station 25 project, under the criteria “warranty requirement”. Mr. LaFountain reported that upon review, the Bonadio Group found the request valid.

Jim Loewke of Loewke Brill Consulting Group, Inc. presented the Monitoring Report for the period of December 1 – December 31, 2012. During that time, 66 monthly visits were conducted. Of the 383 workers that were identified, none were noncompliant on the initial visit. As of December 31, 2012 all monitored sites were compliant. Loewke & Brill delivered signs to 2 new projects.

J. Seil presented the following applications for agency consideration:

1020 John Street LLC

Sales & Mortgage Tax Exemptions Only

The company was represented by Sean Donohoe. 1020 John Street LLC is proposing to purchase and furnish an existing 75,000 square foot building located on 5.75 acres in the Town of Henrietta to house The DDS Companies (DDS). DDS, a related entity which provides commercial and industrial construction, civil engineering and utilities construction services, has outgrown their existing space. The \$4,115,000 project will impact 215 FTEs and is projected to create 60 new FTEs over the next three years. The applicant is seeking approval of sales and mortgage tax exemption only. 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 E. Caccamise and seconded by C. Campbell, an inducement resolution was adopted approving subject project. S. Moore abstained. All others Aye.

Laureland 2010 LLC**Lease/Leaseback with LeasePlus**

The company was represented by Fred Rainaldi Jr. Laureland 2010 LLC (Laureland) is proposing to redevelop an existing 10,000 square foot building on approximately 1/2 acre in the Town of Webster. The building will be leased to Rochester General Hospital (RGH) to house a new hemodialysis unit to serve the Fairport, Penfield, East Rochester, Webster and Wayne county markets. The \$1,300,000 project is projected to create 17 new FTEs over the next three years. The applicant is seeking approval of the LeasePlus property tax abatement. The job creation requirement is 1 FTE. A Public Hearing was held in the Town of Penfield on January 14, 2013. Upon inquiry by the Chair, the applicant representative confirmed that he is aware of the Local Labor requirements. After a brief discussion and on a motion made by H. Stuart and seconded by R. Gerbracht, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by C. Campbell and seconded by E. Caccamise, an inducement resolution was adopted approving subject project. All Aye.

Brand Networks Inc.**Sales Tax Exemptions Only**

The company was represented by Mike Garsin and Ed Davis. Brand Networks Inc. (BNI), founded in 2007, is a leading provider of social software, marketing services and comprehensive analytics for the world's largest brands such as GE, Starbucks, American Express, JetBlue, P&G and AT&T. Notably, BNI is one of only twelve companies to earn Facebook's distinction of Strategic Preferred Marketing Developer (SPMD) which enables BNI to manage, monitor and measure brand presence on the Facebook Platform. BNI, headquartered in Boston, maintains offices in Los Angeles, New York City and Rochester, NY. BNI has outgrown its existing 5,000 square feet of space at 250 South Avenue and is proposing to relocate to 15,000 square feet in the High Falls district located in the City of Rochester. BNI will be investing approximately \$772,460 in equipment, furniture and fixtures. The project will impact 46 FTEs and is projected to create 75 new FTEs over the next two years. The applicant is seeking approval of sales tax exemption, and has been approved for the GreatRate program. Executive Director Seil noted that New York State Empire State Development has awarded Excelsior Credits for this project. After a brief discussion and on a motion made by E. Caccamise and seconded by H. Stuart, an inducement resolution was adopted approving subject project. All Aye.

1225 Jefferson LP & TOPS Markets LLC**Sales Tax Exemptions Only**

The company was represented by Mike Palumbo and Lou Terragnoli. 1225 Jefferson LP is proposing to renovate approximately 55,000 square feet of the Frontier Commons Plaza in the Town of Henrietta. The space, currently occupied by Frontier Communications, will house a TOPS supermarket which is relocating from their current location at 1100 Jefferson Road. The newly renovated location will include a new store front, vestibule and canopy and a fueling station. Without the relocation, TOPS, a supermarket chain of 153 stores operating in New York, Pennsylvania and Vermont, would exit the Henrietta market, as their current business model requires the fueling station which is prohibited at their current location. The \$2,320,000 project will retain 79 FTEs and is projected to create 18 new FTEs over the next three years. 1225 Jefferson LP is seeking approval of sales tax exemption on \$320,000 in renovations. TOPS Market is seeking sales tax exemption on \$2 Million in renovations and equipment. The Town of Henrietta has requested COMIDA assistance for this project. A Public Hearing was held in the Town of Henrietta on January 14, 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 E. Caccamise, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by C. Campbell and seconded by S. Moore, an inducement resolution was adopted approving subject project. All Aye.

On motion made by R. Gerbracht and seconded by S. Moore, minutes for the meeting of December 18, 2012 were reviewed and adopted and approved. All Aye.

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

Terminations:

-FW Van Zile – 3540 Winton Place

-West Linden Properties LLC/ Vincent Associates – 803 Linden Avenue

-Sweden Industrial/Allied Frozen Storage – 4 Owens Road and 300 State Street

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

Miscellaneous:

--Winton Place Business Center, LLC

On a motion made by C. Campbell and seconded by S. Moore, a resolution was adopted approving a new tenant - Allens Creek Optometry. All Aye.

-Chaney Enterprises/1020 John Street

On a motion made by R. Gerbracht and seconded by E. Caccamise, a resolution was adopted approving a Bond Termination (Chaney) and Assumption of PILOT by 1020 John Street LLC. All Aye.

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