MINUTES - AGENCY MEETING - January 17, 2012

Time & Place: 12:00 Noon, Ebenezer Watts Conference Center,

49 S. Fitzhugh Street, Rochester, New York

Board Present: T. Mazzullo (Chair), E. Caccamise, 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. A. Daniele led the Pledge of Allegiance.

Chair Mazzullo opened the Public Forum. There being no speakers, the Public Forum was closed. Chair Mazzullo noted that Anthony Daniele, who was recently named as Monroe County Legislature Majority leader, will be stepping down as Liaison and introduced Richard Yolevich, Monroe County Legislature, who will serve as Liaison, beginning at the March 2012 meeting.

Yvonne Lowerre of Loewke & Brill Consulting presented the Monitoring Report for the period of December 1, 2011 – December 31, 2011. During that time, 67 monthly visits and 2 follow up visits were conducted. Of the 544 workers that were identified, three were noncompliant on the initial visit. As of December 31, 2011 all monitored sites were compliant. Loewke & Brill delivered signs to 2 new projects.

J. Seil presented the following applications for agency consideration:

Xerox Corporation Sales Tax Exemption Only

The company was represented by Jack Farnan. Xerox is proposing to invest \$4.3 million to renovate and equip approximately 20,000 square feet of space to accommodate a call center in Building 200 on the Xerox Campus in Webster. The facility will be occupied by a Xerox Company, Affiliated Computer Services, which provides business process outsourcing and IT outsourcing services, including data processing, HR benefits management, finance support, and customer relationship management services for commercial and government organizations worldwide. The project is projected to create 350 new FTE jobs over the next three years. Xerox seeks approval of sales tax exemption only. A Public Hearing was held in the Town of Webster on January 16, 2012. Director Seil noted that she had received a Letter of Support for this project from United States Senator Chuck Schumer. 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 S. Moore, an inducement and final resolution was adopted approving subject project. All Aye.

The company was represented by Peter Cornell. As part of the overall redevelopment of the 8.5 acre former Midtown Plaza site in the City of Rochester, Pike Development Co. LLC (Pike) is proposing an adaptive reuse of the former Seneca Building. Pike will be redeveloping the shell of the three-story building into approximately 109,000 square feet of commercial space. Windstream Communications, Inc. (Windstream) will be leasing 65,000 square feet of space on the first and second floor of the building. Windstream, an Arkansas based provider of high-speed broadband internet, phone service and digital TV packages to Government agencies which recently acquired PAETEC Communications, will house approximately 143 former PAETEC employees at the Seneca Building location. The applicant seeks approval of a custom property tax abatement for this \$21,330,001 project. A Public Hearing was held in the City of Rochester on January 17, 2012. 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 H. Stuart and seconded by E. Caccamise, an inducement resolution was adopted approving subject project. All Aye.

On motion made by E. Caccamise and seconded by S. Moore, minutes for the meeting of December 20, 2011 were reviewed and adopted and approved. All Aye.

Governance Committee Chair H. Stuart reported on the Governance Committee meeting held December 20, 2011, recommending that the Board engage the legal services of Harris Beach under a 4 year contract pursuant to the recent Request for Proposals process. H. Stuart reported that the committee also recommends a change to Section D of the Uniform Tax Exemption Policy to come into compliance with state law regarding a required public hearing in affected tax jurisdictions for deviations from the policy. Counsel Townsend noted that the change will bring the policy into conformity with rights duties and obligations pursuant to State statute, in response to changes in state law. On a motion by E. Caccamise and seconded by S. Moore, a resolution was adopted approving both recommendations.

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

Terminations:

-Rochester Drug Cooperative – 50 Jetview Drive 170 Sully's Trail 183 Sully's Trail Chosen Spot – 1595 Moseley Road

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

Miscellaneous:

-Crvovac

On a motion made by H. Stuart and seconded by S. Moore, a resolution was adopted approving a new mortgage (no Mortgage Tax abatement). All Aye.

-Jackson Welding Supply

On a motion made by E. Caccamise and seconded by S. Moore, a resolution was adopted approving a \$40,488 increase in project costs to \$877,275. All Aye.

-400 Whitney Road

On a motion made by H. Stuart and seconded by S. Moore, a resolution was adopted approving a new sublease to Mason Marketing Communications. All Aye.

-Maiden Lane Reconstruction

On a motion made by E. Caccamise and seconded by H. Stuart, a resolution was adopted approving a Department of Transportation easement as part of the Maiden Lane reconstruction project. All Aye.

Chair Mazzullo reopened the Governance Committee report. Chair H. Stuart reported that the committee also recommends that the Board approve a contract for services with The Bonadio Group under a 4 year contract pursuant to the recent Request for Proposals process. On a motion by E. Caccamise and seconded by H. Stuart, a resolution was adopted accepting the recommendation and approving the execution of the contract.

There being no further business, the meeting was adjourned.