

MINUTES – AGENCY MEETING – April 21, 2015

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,
J. Popli, M. Siwec, M. Worboys-Turner

Board Excused: A. Burr

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

Chair Mazzullo called the meeting to order. M. Siwec led the Pledge of Allegiance.

Chair Mazzullo opened the Public Forum. Joanne Sasse offered comments regarding incompetence, cost and favoritism. Tom Mairs, Northeast Carpenters Local spoke against cost differential as basis for a Local Labor waiver. 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 one request for exemption from the local labor requirements for the Costco project, under the warranty criteria and one request regarding the One Mount Hope Avenue project under the cost differential criteria. 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 March 1, 2015 – March 31, 2015. During that time, 55 monthly and 1 follow up visits were conducted. Of the 411 workers that were identified, one was noncompliant on the initial visit. As of March 31, 2015 all monitored sites were compliant. No new signs were delivered.

J. Seil presented the following applications for agency consideration:

50 Chestnut Ventures LLC

Lease/Leaseback with Shelter Rents

The company was represented by Adam Driscoll. 50 Chestnut Ventures LLC (50CV), a local real estate development company, is proposing the acquisition of an existing, largely vacant 165,000 square foot, 13-story building in downtown Rochester. 50CV is proposing a project that will renovate two floors of apartments and convert 6 vacant floors of office space into 75 one and two bedroom apartments. The \$8,819,129 project will impact 3 FTEs and is projected to create 2 new FTEs over the next three years. The City of Rochester is in support of Shelter Rents abatement for the project as the project will help stabilize this section of downtown, retain the existing tenants and result in increased property tax revenues. The Benefit/Incentive ratio is 1.04:1. A Public Hearing was held in the City of Rochester on April 21, 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. Siwec, an inducement resolution was adopted approving subject project. C. Campbell abstained. All others Aye.

DD Summit Enterprises Inc. & DD Distribution Inc.**Sales Tax Exemptions Only**

The company was represented by Chris Temovsky. DD Summit Enterprises Inc. (DDSE), a real estate holding company, is proposing a \$300,000 upgrade and renovation of an existing 11,122 square foot warehouse in the Town of Henrietta. The building will be leased to a related entity, DD Distribution Inc. which will be warehousing and distributing a liquid vitamin D supplement. The product, which has been on the market since 2007, is manufactured in Ontario, Canada by a related entity, DDrops Company. DDrops products are currently available at many retail and online outlets including Walgreens, CVS, Wegmans, Amazon and Drugstore.com. The project expects to create 9 new FTEs over the next three years. The applicant and tenant are seeking approval of sales tax exemptions only. The Benefit/Incentive ratio is 13.6:1. After a brief discussion and on a motion made by C. Campbell and seconded by M. Siwec, an inducement resolution was adopted approving subject project. All Aye.

Frontier Communications Corporation**Sales Tax Exemptions Only**

The company was represented by Dave Frezza. Frontier Communications Corporation (FCC) offers broadband, voice, satellite video, wireless internet data access and data security solutions, and operates in 27 states with over 15,000 employees in the United States. FCC is adding one or more new customer contact centers and considered options in New York, Florida, Utah and Texas. They have identified 25,000 square feet of existing space in the Town of Henrietta which would require \$4,500,000 to renovate and equip. The project is projected to create 350 new FTEs over the next three years. FCC is seeking approval of sales tax exemptions only. The Benefit/Incentive ratio is 110.2:1. Empire State Development has approved the project for its Excelsior Jobs Program. A Public Hearing was held in the Town of Henrietta on April 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 J. Popli and seconded by M. Siwec, an inducement resolution was adopted approving subject project. All Aye.

**Brooks Avenue Holdings LLC and 760 Brooks Avenue Inc.
Billitier Electric, Inc.****Lease/Leaseback with Jobs Plus
Sales Tax Exemptions Only**

The company was represented by Mike Mortimer and Robert Sant. Brooks Avenue Holdings LLC and 760 Brooks Avenue Inc., related real estate holding companies, are proposing the renovation of an existing commercial building and the construction of a 14,600 square foot warehouse on 4 acres in the city of Rochester. The properties will be leased to Billitier Electric Inc. (BE), a commercial and industrial electrical contractor. BE, founded in 1970, needs the additional space to accommodate its growth as one of the largest single-source contractors in Western New York State. The \$850,000 project will impact 27 FTEs and is projected to create 3 new FTEs over the next three years. The applicant is seeking approval of JobsPlus property tax abatement. The job creation requirement is 3 FTEs. BE is seeking approval of sales tax exemptions on construction, equipment, furniture and fixtures. The Benefit/Incentive ratio is 2.9:1. A Public Hearing was held in the City of Rochester on April 21, 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 J. Popli, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by M. Siwec and seconded by M. Worboys-Turner, an inducement resolution was adopted approving subject project. All Aye.

Innovative Data Processing Solutions LTD.**Sales Tax Exemption Only**

The company was represented by Russ Cattat. Innovative Data Processing Solutions LTD., (IS) is an information technology consulting, implementation, and support company. IS, located in Henrietta, will be introducing four new lines of service and is proposing the acquisition of \$92,085 of additional hardware and software. IS currently employs 63 FTEs and expects to create 5 new full-time positions. IS 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 16:1. After a brief discussion and on a motion made by C. Campbell and seconded by M. Siwec, an inducement resolution was adopted approving subject project. All Aye.

The company was represented by Steve Tranelli and Brian Morath. Calkins Corporate Park LLC, a local real estate development company, is proposing the construction of a 28,800 square medical office building in the Town of Henrietta. Approximately 12,500 square-feet is to be leased to Unity Hospital (Red Creek Orthopaedics). The \$3,460,000 project will impact 18 FTEs and is projected to create 5 new FTEs over the next three years. The applicant is seeking approval of LeasePlus property tax abatement. The job creation requirement is 2 FTEs. The Benefit/Incentive ratio is 2.3:1. A Public Hearing was held in the Town of Henrietta on April 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 C. Campbell and seconded by M. Siwec, 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.

On motion made by J. Popli and seconded by M. Siwec, minutes for the meeting of March 17, 2015 were reviewed and adopted and approved. All Aye.

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

Terminations:

- **Gallina Development – 550 Mile Crossing Blvd., Gates**
- **ITT Industries Space Systems – 2696 Manitou Road, Gates**
- **Schwan’s Home Service, Inc. – 450 Mile Crossing Blvd., Gates**
- **Vanguard Parkway LLC (XLI Corporation) 55 Vanguard Parkway, City of Rochester**

On a motion made by M. Worboys-Turner and seconded by J. Popli, a resolution was adopted approving the termination of the above named projects. All Aye.

Miscellaneous:

- **RES Exhibit Services LLC**

On a motion made by J. Popli and seconded by M. Worboys-Turner, a resolution was adopted approving a \$23,725 increase in project costs to \$217,100. All Aye. Original approval September 16, 2014

- **Temple Building LLC**

On a motion made by M. Siwec and seconded by E. Caccamise, a resolution was adopted approving an \$810,000 increase in project costs and new tenant, Grace Road Church. All Aye. Original approval October 2012 - \$1,310,000 Sales Tax Only. Amended February 2013 – mortgage tax exemption. Amended May 2013 – approved PILOT.

There being no further business, on a motion made by C. Campbell and seconded by J. Popli, the meeting was adjourned.