

MINUTES – AGENCY MEETING – May 19, 2015

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

Board Present: T. Mazzullo (Chair), A. Burr, E. Caccamise, C. Campbell,
J. Popli, M. Siwec, M. Worboys-Turner

Board Excused: None

Quorum Present: Yes

Also Present: J. Seil (Executive Director), E. Liberti,
M. Townsend, Esq.

Chair Mazzullo called the meeting to order. C. Campbell led the Pledge of Allegiance.

Chair Mazzullo opened the Public Forum. Joanne Sasse offered comments regarding the projects to be presented to the board today, the historical benefit/incentive ratio, job creation requirements and cost overruns. 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 Indus Panorama project, under the criteria “specialized construction with no local labor available”. Mr. LaFountain reported that upon review, the Bonadio Group found the request valid.

Yvonne Lowrey of Loewke Brill Consulting Group, Inc. presented the Monitoring Report for the period of April 1, 2015 – April 30, 2015. During that time, 55 monthly and 4 follow up visits were conducted. Of the 398 workers that were identified, seven were noncompliant on the initial visit. As of April 30, 2015 all monitored sites were compliant. Loewke & Brill delivered signs to 1 new project.

J. Seil presented the following applications for agency consideration:

Legacy at Maiden Park LLC \$13,100,000 – Lease/Leaseback with JobsPlus

The company was represented by Timothy Poley. Legacy at Maiden Park LLC, a local real estate development company, is proposing the construction of a 79 unit senior living community in the Town of Greece. The single story, approximately 57,000 square foot building will be located on 6.6 acres and include 96 total beds. The project will provide assisted, enhanced assisted and special needs assisted living services. The \$13,100,000 project is projected to create 38 new FTEs over the next three years. The applicant is seeking approval of the JobsPlus property tax abatement. The job creation requirement is 1 FTE. The Benefit/Incentive ratio is 2.4:1. A Public Hearing was held in the Town of Greece on May 18, 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. M. Worboys-Turner abstained. All others Aye. On a motion made by A. Burr and seconded by C. Campbell, an inducement resolution was adopted approving subject project. M. Worboys-Turner abstained. All others Aye.

Chair Mazzullo reminded the Board that Conflicts of Interest should be disclosed after the Project is introduced and before a vote is considered.

Gallina Development Corporation \$1,118,000 – Lease/Leaseback with JobsPlus

The company was represented by Kurt Sertl and Hugh Richburg. Gallina Development Corporation, a local real estate development company, is proposing an 11,000 square foot addition to an existing 20,520 square foot building on 3.76 acres in the Town of Ogden. The building is leased to Loomis Armored US, a provider of armored car services. The new addition will include office and processing space to accommodate growth in the business. The \$1,118,000 project will impact 121 FTEs and is projected to create 34 new FTEs over the next three years. The applicant is seeking approval of JobsPlus property tax abatement. The job creation requirement is 12 FTEs. The Benefit/Incentive ratio is 8.4:1. A Public Hearing was held in the Town of Ogden on May 18, 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. M. Worboys-Turner abstained. All others Aye. On a motion made by M. Siwiec and seconded by A. Burr, an inducement resolution was adopted approving subject project. M. Worboys-Turner abstained. All others Aye.

Apple Latta LLC \$58,600,000 – Lease/Leaseback with custom abatement

The company was represented by Kevin Morgan. Apple Latta LLC, a Morgan Management real estate entity, is proposing a senior housing project in the Town of Greece. The 354,440 square foot complex will be located on approximately 51.7 acres of the former Apple Annie's orchard. The project includes 340 senior apartments and 80 senior townhomes, and will include a clubhouse, community room, fitness center, theater room and swimming pool. The \$58,600,000 project is projected to create 8 new FTEs over the next three years. The applicant is seeking approval of a custom PILOT supported by the Town of Greece. The job creation requirement is 1 FTE. The Benefit/Incentive ratio is 1.6:1. A Public Hearing was held in the Town of Greece on May 19, 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. Siwiec, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by M. Siwiec and seconded by J. Popli, an inducement resolution was adopted approving subject project. All Aye.

Five Star Bank \$3,560,000 – Sales Tax Exemptions Only

The company was represented by Mitch McLaughlin. Five Star Bank, a New York State chartered community bank, is proposing to construct a 4,750 square foot branch bank on 1.57 acres at CityGate in the City of Rochester. The branch will include a 1,200 square foot Community Room that will be utilized for financial education programs, including first time buyers, small business loans education and financial literacy, as well as for community events. The \$3,560,000 project will impact 146 FTEs and is projected to create 7 new FTEs over the next three years. The applicant is seeking approval of sales tax exemptions only. The Benefit/Incentive ratio is 10.6:1. 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 A. Burr and seconded by M. Worboys-Turner, a resolution was adopted approving SEQR for the subject property. C. Campbell abstained. All others Aye. On a motion made by E. Caccamise and seconded by M. Worboys-Turner, an inducement resolution was adopted approving subject project. C. Campbell abstained. All others Aye.

The Viola Group DBA Viola Storage \$217,000 Sales Tax Exemptions Only

The company was represented by Dan Viola. The Viola Group DBA Viola Storage (VS), a storage container rental and sales company, is proposing the purchase of a Kenworth straight truck. VS currently employs 6 FTEs and expects to create 1 new full-time position. VS has been approved for the GreatRate program through Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program. The Benefit/Incentive ratio is 2:1. After a brief discussion and on a motion made by E. Caccamise and seconded by M. Worboys-Turner, an inducement resolution was adopted approving subject project. All Aye.

On motion made by J. Popli and seconded by C. Campbell, minutes for the meeting of April 21, 2015 were reviewed and adopted and approved. All Aye.

Chair Mazzullo reported to the board on the May 11, 2015 meeting of the PILOT Committee. Of the 408 projects reported to the New York State Office of the Comptroller as of December 31, 2014, five projects were terminated for failing to meet job creation requirements, two waivers were approved and one waiver is pending.

Executive Director Seil reported on the New York State Office of the Comptroller 2013 IDA performance report that was released yesterday. ED Seil noted that COMIDA ranked #2 in total number of projects, behind New York City IDA, and #3 in the state for jobs created. She also noted that COMIDA Exemptions/Job Created and Costs/Job Created were significantly below the statewide averages. ED Seil also reported on COMIDA's project approval ratio, noting that of the 254 business calls made by staff during 2014, 95 of those companies were referred to /approved for non-COMIDA assistance, only 31 or 12% were approved for COMIDA assistance and the balance or 128 calls, did not meet the minimum standards for a project approval. ED Seil also referred the Board of Directors to the Monthly board book which contains updated Benefit/Incentive ratios for all approved COMIDA projects, noting a 2.4:1 ratio for 2014 and a year to date 2015 ratio of 7.6:1.

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

Miscellaneous:

--Innovative Data Processing Solutions

On a motion made by M. Siwec and seconded by A. Burr, a resolution was adopted approving a \$57,915 increase in project costs to \$150,000. All Aye. Original approval April 21, 2015

---Winthrop & Pitkin LLC

On a motion made by C. Campbell and seconded by E. Caccamise, a resolution was adopted approving a new tenant. All Aye.

There being no further business, on a motion made by M. Worboys-Turner and seconded by E. Caccamise, the meeting was adjourned.