



MINUTES – AGENCY MEETING – June 19, 2007

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

Board Present: T. Mazzullo (Chair), A. Burr, D. Conte, L. Doyle, R. Hurlbut,
S. Moore

Also Present: J. Seil (Acting Executive Director), W. Zyra (President Monroe County Legislature),
E. Liberti, M. Townsend, Esq., G. Archibald, K. Ryan & R. Enright (The Bonadio
Group)

Chair Mazzullo called the meeting to order. S. Moore led the Pledge of Allegiance.

J. Seil presented the following applications for agency consideration:

Tech Park Owner, LLC (Lease/leaseback)

The company was represented by Edward Daniel, Esq. Tech Park Owner LLC proposes to purchase the Rochester Tech Park (former Kodak Elmgrove facility, approximately 5 million square feet) for \$55 million. The new owner plans to attract technology related tenant base and plans to enhance the current infrastructure of offices and laboratories with \$12 million in improvements over the next five years. Tech Park Owner LLC is an affiliate of the Tryad Group which is based in Brooklyn which develops and manages industrial, commercial, office and retail facilities around the country. The LLC expects to create 30 new jobs at the facility over the next 5 years. The LLC is requesting exemption from sales and mortgage tax and assumption of the Special PILOT executed for the facility in 2001. The Town of Gates will confirm its allowance for the assumption of the PILOT. A public hearing on the project was held June 19, 2007 in the Town of Gates. 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. S. Moore abstained. All others Aye. On a motion made by L. Doyle and seconded by R. Hurlbut, a resolution was adopted for final approval for the subject project. S. Moore abstained. All others Aye.

Rochester Friendly Home dba The Friendly Home (Tax Exempt Civic Facility Bond)

The company was represented by James Dewhirst. Rochester Friendly Home, a not-for-profit corporation, has served the Monroe County community since 1849. The Friendly Home provides residential health care with 202 beds in a building originally constructed in 1918. The proposed project will include renovations and modernization to the existing building. This renovation will require the relocation of 80 beds to a new 38,000 square foot addition which will offer “neighborhood” and dining facilities for each of two 40 bed residential units. A proposed 4,500 square foot main entrance addition will accommodate various support services and a modernized lobby and reception area. This \$22 Million project will impact 279 existing FTEs. The applicant is seeking up to \$19 Million in civic facility revenue bonds. A public hearing on the project was held in the Town of Brighton on June 18, 2007. After a brief discussion and on a motion made by R. Hurlbut and seconded by S. Moore, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by R. Hurlbut and seconded by A. Burr, a final resolution was adopted approving subject project. All Aye.

On motion made by L. Doyle and seconded by S. Moore, minutes for the meeting of May 15, 2007 were reviewed and adopted and approved. All Aye.

G. Archibald, The Bonadio Group, presented the 2006 audited financial statements for the County of Monroe Industrial Development Agency. Mr. Archibald reported that The Bonadio Group issued an unqualified opinion and found no material weaknesses in the internal controls of the organization. He noted that The Bonadio Group is working with E. Liberti and J. Seil to develop and enhance the cash/accrual basis of the internal financial statements, in accordance with accounting principles. On a motion made by A. Burr and seconded by S. Moore, a motion to accept the audit was approved. All Aye. J. Seil noted that E. Liberti was especially helpful to the auditors during their process, providing all information requested in a timely and organized manner.

Acting Executive Director J. Seil reviewed County Executive Maggie Brooks' June 8, 2007 letter to the board. As part of County Executive Brooks' Green Building Initiative, the letter requests that the board adopt an amendment to the Uniform Tax Exemption Policy which would provide an enhanced abatement schedule for those new build/renovation projects which are certified by the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) as environmentally responsible projects. After a brief discussion, on a motion made by A. Burr and seconded by L. Doyle, an amendment was adopted approving the amendment to the Uniform Tax Exemption policy to incorporate the Green Building tax abatement program. All Aye.

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

Final/Approvals:

-Mirror Show Management

On a motion made by D. Conte and seconded by R. Hurlbut, an approval over \$100,000 and a final inducement resolution was adopted for the above project. All Aye. A Public Hearing was held in the Town of Webster on May 21, 2007.

-2245 BHTL LLC

On a motion made by L. Doyle and seconded by A. Burr, an approval over \$100,000 and a final inducement resolution was adopted for the above project. All Aye. A Public Hearing was held in the Town of Henrietta on May 24, 2007.

Terminations:

-997 Beahan Road Associates

On a motion made by D. Conte and seconded by R. Hurlbut, a resolution was adopted approving the termination of the above project. All Aye.

Miscellaneous:

-Cedarwood Two LLC

On a motion made by S. Moore and seconded by L. Doyle, a resolution was adopted approving the sale of the above project. All Aye.

-Sydor Optics/31 Jetview Drive

On a motion made by L. Doyle and seconded by S. Moore, a resolution was adopted approving an increase in the above project from \$2.8 Million to \$3.6 Million to add a 12, 000 square foot addition to the property. All Aye.

-Lanovara Food Distributors

On a motion made by R. Hurlbut and seconded by D. Conte, a resolution was adopted approving a mortgage tax exemption for the above property. All Aye.

R. Enright, The Bonadio Group, reported on their local labor compliance activities. During the last five weeks, The Bonadio Group made 48 visits to 23 COMIDA project sites. 281 workers were identified during these visits. Only 2 of these workers were from outside the local labor area. These 2 workers were no longer present during the follow-up visits made within 24 hours. R. Enright also ensures that the required COMIDA signage is posted, correcting 3 instances of missing signage.

The Public Forum was opened by Chair Mazzullo. R. Hurlbut referenced a recent letter in the Democrat & Chronicle from the President of Metro Justice. R. Hurlbut recommended that either the chair or the director of COMIDA issue a response. Chair Mazzullo indicated that there were several COMIDA project recipients who had already stepped forward in that regard. There being no other speakers, the Public Forum was closed. There being no further business, on a motion made by D. Conte and seconded by R. Hurlbut, the meeting was adjourned.