



COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY

MINUTES – AGENCY MEETING – September 17, 2013

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,
R. Gerbracht, S. Moore, J. Popli

Board Excused: None

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

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

Chair Mazzullo opened the Public Forum. Joanne Sassa offered comments regarding the provision of benefits to projects, and asked that the Monroe County legislature put a hold on COMIDA for four months. 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 requests for exemption from the local labor requirements for the following projects (and certain criteria): Rochester Central School District Modernization Program - Specialized construction, Wegmans Affinage – Warranty, Elmgrove Ventures - Specialized construction, Sibley renovations - Specialized construction, Flatts - Specialized construction, Jefferson Hotel – Specialized Construction, Tops Irondequoit & Henrietta – Warranty. Mr. LaFountain reported that upon review, the Bonadio Group found the requests valid.

Mike Loewke of Loewke Brill Consulting Group, Inc. presented the Monitoring Report for the period of August 1, 2013 – August 31, 2013. During that time, 88 monthly and 10 follow up visits were conducted. Of the 664 workers that were identified, ten were noncompliant on the initial visit. As of August 31, 2013 all monitored sites were compliant.

J. Seil presented the following applications for agency consideration:

491 Elmgrove Park LLC Lease/Leaseback with JobsPlus

The company was represented by Mike Loewke. 491 Elmgrove Park LLC is proposing a renovation and 14,000 square foot expansion of an existing commercial building in the Town of Greece. The renovated property will house multiple commercial tenants including a manufacturing operation, insurance and asphalt paving and maintenance companies. The \$365,000 project will impact 3 FTEs and is projected to create 3 new FTEs over the next three years. The applicant is seeking approval of the JobsPlus program. The job creation requirement is 1 FTEs. Upon inquiry by the Chair, the applicant representatives confirmed that they are aware of the Local Labor requirements and agreed that the Labor Monitoring for this project would be conducted by The Bonadio Group. After a brief discussion and on a motion made by A. Burr and seconded by C. Campbell, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by R. Gerbracht and seconded by J. Popli, an inducement resolution was adopted approving subject project. All Aye.

NOHMS Technologies Inc. EquiPlus

The company was represented by Rich Delmarco. NOHMS Technologies Inc. (NOHMS) was founded in October 2010 to commercialize lithium-sulfur battery technology for use in markets including spacecraft, drones and electric automobiles. NOHMS is proposing to invest \$252,450 in furniture, renovations and information technology as part of a larger project to create a state of the art research, development and advanced manufacturing facility at the Eastman Business Park in the City of Rochester. NOHMS currently employs 9 FTEs and expects to create 2 new full-time positions. NOHMS has been approved for the GreatRebate program through Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program. 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 R. Gerbracht and seconded by J. Popli, an inducement resolution was adopted approving subject project. All Aye.

EJ DelMonte Corp. Sales Tax Exemptions Only

The company was represented by Alex DelMonte. EJ Del Monte Corp. is proposing the renovation of an existing 46,500 square foot, 78 room Courtyard by Marriot hotel in the Town of Greece. The \$2.4 Million project, which will convert the existing hotel to the Fairfield Inn by Marriot brand, is projected to create 3 new FTEs over the next three years. Applicant is seeking sales tax exemption only. A Public Hearing was held in the Town of Greece on September 16, 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 J. Popli and seconded by A. Burr, an inducement resolution was adopted approving subject project. All Aye.

Elmwood Property at Collegetown LLC Sales & Mortgage Tax

The company was represented by Alex DelMonte. Elmwood Property at Collegetown LLC, a local real estate affiliate of EJ Del Monte Corp., is proposing the construction of a 107,700 square foot, 136-room hotel on one acre in the Collegetown development in the City of Rochester. The hotel will operate as a Hilton Garden Inn. The \$18 Million project is projected to create 50 new FTEs over the next three years. Applicant is seeking sales & mortgage tax exemption only. The property will receive real property tax abatement under a PILOT agreement for the Collegetown project which was approved by COMIDA in February 2013. A Public Hearing was held in the City of Rochester on September 17, 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 C. Campbell and seconded by A. Burr, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by R. Gerbracht and seconded by E. Caccamise, an inducement resolution was adopted approving subject project. All Aye.

High Falls Operating Company LLC Sales Tax Exemptions Only

The company was represented by Mark Minunni. North American Breweries (NAB), headquartered in Rochester, New York, owns and operates five U.S. breweries including The High Falls Operating Company LLC (Genesee Brewery). HF makes and sells the historic line of Genesee beers, Dundee Ales & Lagers, the Original Honey Brown Lager and Seagram's Escapes, and contract brews dozens of beers and malt beverages for other companies. HF is proposing to construct a 3500 square foot building between Buildings 5 and 6 to house a new pasteurizer and related conveyor system. The total estimated cost of the new production equipment is \$3.9 Million. The \$1,875,250 building construction project will impact 542 FTEs and is projected to create 1 new FTE over the next three years. The applicant is seeking approval of sales tax exemption on the construction materials. 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 A. Burr and seconded by J. Popli, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by R. Gerbracht and seconded by C. Campbell, an inducement resolution was adopted approving subject project. All Aye.

The company was represented by Joe Fee. Fee Brothers Inc., (FB) founded in 1864, is a manufacturer of cocktail mixes, botanical waters, brines, cordial syrups and bitters. FB is proposing to expand their existing 19,800 square foot warehouse and production facility in the City of Rochester to accommodate continued growth in their business. Total addition will be 5,160 square feet. The \$534,406 project will impact 14 FTEs and is projected to create 2 new FTEs over the next three years. The applicant is seeking approval of the JobsPlus abatement program. The job creation requirement is 2 FTEs. 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 c. Campbell and seconded by S. Moore, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by J. Popli and seconded by C. Campbell, an inducement resolution was adopted approving subject project. All Aye.

On motion made by E. Caccamise and seconded by A. Burr, minutes for the meeting of August 27, 2013 were reviewed and adopted and approved. All Aye.

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

Terminations:

--1350 SR LLC/American Tire

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

Miscellaneous:

--120 East Main Street – SGP Hospitality

On a motion made by J. Popli and seconded by E. Caccamise, a final resolution was adopted approving mortgage tax exemption. All Aye.

---WILJEFF LLC

On a motion made by J. Popli and seconded by A. Burr, a resolution was adopted approving sale of project to ACC OP Acquisitions LLC and transfer of PILOT, with clarification of language regarding transfer to not for profit entity. All Aye.

-- North Forest Properties #3 LLC

On a motion made by J. Popli and seconded by R. Gerbracht, a resolution was adopted approving additional tenants. All Aye.

--Lincoln Gibbs

On a motion made by E. Caccamise and seconded by J. Popli, a resolution was adopted authorizing the termination of the above named 1986 bond project. All Aye.

--Calkins Corporate Park

On a motion made by S. Moore and seconded by R. Gerbracht, a resolution was adopted approving sales and mortgage tax exemption on additional \$535,000 in project costs. All Aye.

On a motion made by A. Burr and seconded by J. Popli, the meeting was adjourned to Executive Session to discuss contract negotiations.

The board moved out of Executive Session. On a motion made by E. Caccamise, and seconded by R. Gerbracht, the board authorized Judy Seil as Executive Director to enter into a contract with the New York Power Authority to bring certain energy efficiencies to the ice complex located on the MCC college campus in an amount not to exceed \$920,000, with corporate and personal guarantees by the End-to-End management, second security interest in the equipment, subject only to the M&T lien in existence, with the expectation and requirement that the Executive Director report to the Board on monthly as to the progress of the project.

There being no further business, on a motion made by A. Burr and seconded by S. Moore. Popli, the meeting was adjourned.