



## **GOVERNANCE COMMITTEE MEETING**

**August 7, 2023**

**Time: 3:00 p.m.**

**CityPlace Building, 50 West Main Street**

1. Call meeting to order
2. Approval of Minutes of June 13, 2023
3. Review Local Labor Area
4. Other Business
5. Adjournment



COUNTY OF MONROE  
**COMIDA**

INDUSTRIAL DEVELOPMENT AGENCY

**GOVERNANCE COMMITTEE MEETING MINUTES**

**June 13, 2022**

Time & Place: 12:30 p.m. City Place, 50 West Main Street

Board Present: J. Popli, A. Burr, J. Alloco, N. Jones

Board Absent: None

Also Present: T. Milne, R. King, R. Baranello, Esq., R. Finnerty, A. Clark, A. Liss, K. Loewke

Chair Popli called the meeting to order at 12:00 p.m.

The draft minutes of the March 22, 2023 meeting were presented. On motion by J. Alloco, second by N. Jones, all aye, the minutes were unanimously approved.

The committee discussed the local labor policy in regards to the documentation required for warranty and specialized local labor waiver exemptions. The committee reviewed the proposed changes to the policy (Appendix A). On motion by J. Alloco, second by N. Jones, all aye, motion carries.

The board briefly discussed changes to the local labor area.

There being no further business to discuss, on motion by A. Burr, second by J. Popli, all aye, the meeting of the Governance Committee was adjourned at 1:21 p.m.

## Appendix A

by email or at the next scheduled meeting. If a violation of policy has occurred, the Project Monitor shall notify the applicant and contractor of such non-compliance and give applicant a warning of violation and 72 hours in which to correct such violation. *Upon evidence of continued non-compliance or additional violations, the IDA and/or the Project Monitor shall notify the applicant that the project is in violation of the ~~Monroe County IDA Local~~ Labor Policy and is subject to IDA Board action, which may result in the suspension, revocation, termination and/or recapture of any or all benefits conferred by the IDA.*

### Signage

The applicant/contractor/developer of an IDA approved project shall be required to maintain a sign, provided by the Project Monitor, on the project site at all times during construction. This sign shall be located in an area that is accessible to onsite workers and visitors, which should be clear and legible.

### Exemption Process

In some instances, use of 100% local labor may not be possible for any of the following reasons:

1. Warranty issues related to installation of ~~specialized equipment whereby the manufacturer requires installation by only approved installers (a copy of the equipment warranty confirming the use of specific installers must be provided).~~ The granting of an exemption for the use of non-local labor on warranty related grounds is expressly conditioned on either (i) said non-local sub-contractors being enrolled in a New York State certified apprenticeship program (proof of such enrollment shall be provided to the IDA upon request) or (ii) the hiring of an apprentice/apprentices or local construction laborer(s) to assist in the installation. certain products.
  - Required Documentation: A copy of the warranty confirming that the product must be installed by the manufacturer. Where the manufacturer requires installation by an approved third-party installer, the IDA requires information regarding skills, certifications and/or training possessed by the third-party installer.<sup>1</sup>
2. Specialized construction ~~is required~~ and no local contractors or local construction workers have the required skills, certifications or training to perform the work ~~(~~.
  - Required Documentation: Information regarding the skills, certifications and/or training the construction workers must possess and proof of communication with local contractors, or details of the specialized construction must be provided);
3. Significant cost differentials in bids whereby use of local labor significantly increases the cost of the project. Three (3) bids are required and a cost differential of 25% is deemed significant. Where there is a significant cost differential, ~~that if~~ and the local labor contractor agrees to reduce the bid to the average of the two bids, no waiver will be granted. However, if the average is still 25% or more, a waiver will be granted ~~(copies~~.
  - Required Documentation: Copies of all bids/proposals received, including pricing, must be provided to confirm cost differential).

<sup>1</sup> The granting of an exemption for the use of non-local labor on warranty related grounds for the use of a third-party installer is expressly conditioned on the hiring of a pre-apprentice(s), an apprentice(s) or local construction laborer(s) to assist in the installation. The installation by the manufacturer does not have this requirement.

4. No local labor available for the project ~~(if~~.

- Required Documentation: Proof of solicitation of local bids ~~were solicited with~~ no ~~without a~~ response, ~~please provide a copy of an explanation how~~ the bid, ~~explain how~~ ~~it~~ was advertised, and list who the bids were requested from).

~~The request to secure an exemption for the use of non-local labor must be received from the applicant on the exemption form provided by the IDA or the 3rd IDA and its third-party exemption monitor (the "Exemption Processor") and received by the Exemption Process forty-five (45) days in advance of work commencing~~ require at least forty-five (45) days to process a request for a exemption from local labor. The forty-five (45) days shall commence upon submission of the request for exemption, together with complete and accurate required documentation. The request will be reviewed by the Exemption Processor and forwarded to the IDA, at which time the IDA's Executive Director shall have the authority to approve or disapprove the exemption. The Exemption Processor shall report each authorized exemption to the Board of Directors at its monthly meeting.

