



COUNTY OF MONROE  
**COMIDA**  
INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING MINUTES  
March 26, 2024

Time & Place: 12:00 p.m. at City Place

Board Present: A. Burr, N. Jones, J. Popli, L. Bolzner, R. King, T. Milne, J. Alloco

Also Present: A. Liss, R. Finnerty, A. Clark, K. Loewke, R. Baranello, Esq., G. Genovese

Chair Burr called the meeting to order at 12:00 p.m. and J. Alloco led the board in the Pledge of Allegiance.

On motion by R. King, second by J. Alloco, all aye, minutes of the February 20, 2024 meeting were approved.

K. Loewke presented the local labor monitoring report for February 2024.

Executive Director Liss reviewed the local labor exemption report for February 2024.

G. Genovese presented the financial report for February 2024.

Executive Director Liss presented the following projects for consideration:

**JP White Trash, LLC**

JP White Trash LLC provides on site dumpster, residential disposal and recycling services in the Town of Greece. JP White Trash has seen significant growth since 2022 and continues to expand its recycling services in Monroe County. JP White Trash will be purchasing 55 roll off dumpsters, a dumpster truck and an additional garbage truck to meet the needs of its customers and allow for continued growth. JP White Trash LLC has applied for a Great Rate/Great Rebate on the equipment purchase through the Monroe County Industrial Development Corporation and is seeking approval of the sales tax exemption through COMIDA. The \$957,000 project is projected to create 7 new FTEs over the next three years. The Benefit/Incentive ratio is 26:1.

The applicant was represented by Kevin Goodwine. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance, and does not anticipate any local labor exemptions at this time.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TO APPOINT (i) JP WHITE TRASH, LLC OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") AS ITS AGENT TO UNDERTAKE A CERTAIN PROJECT; (ii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE UNDERTAKING OF THE PROJECT; (iii) AUTHORIZE THE EXECUTION AND DELIVERY OF A PROJECT AGREEMENT AND RELATED DOCUMENTS; AND (iv) MAKE A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA.

On motion by L. Bolzner, second by J. Alloco for inducement and final resolution approving a sales tax exemption, a roll call vote resulted as follows and the motion carried:

J. Popli	Yea	J. Alloco	Yea
L. Bolzner	Yea	R. King	Yea
T. Milne	Yea	A. Burr	Yea
N. Jones	Yea		

### **EISCO LLC**

Eisco LLC, a manufacturer and distributor of scientific supplies, is relocating from Ontario County to a 80,000 sq. ft. building in the Town of Mendon to consolidate and grow all of the businesses in one headquarter location in order to maintain a competitive advantage. Eisco LLC has applied for a Great Rate/Great Rebate on the equipment purchase through the Monroe County Industrial Development Corporation and is seeking approval of the sales tax exemption through COMIDA. The \$250,000 project is projected to create 2 new FTEs in addition to the existing 36 FTEs over the next three years. The Benefit/Incentive ratio is 28:1.

The applicant was represented by Tom DeGrave, COO. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance. The applicant is anticipating requesting a local labor exemption. T. Milne stated that he would provide a list of local contractors who may be able to perform the work in question.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TO APPOINT (i) EISCO LLC OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") AS ITS AGENT TO UNDERTAKE A CERTAIN PROJECT AS MORE FULLY DESCRIBED BELOW; (ii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE UNDERTAKING OF THE PROJECT; (iii) AUTHORIZE THE EXECUTION AND DELIVERY OF A PROJECT AGREEMENT AND RELATED DOCUMENTS; AND (iv) MAKE A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA.

On motion by R. King, second by J. Popli, for inducement and final resolution approving a sales tax exemption, a roll call vote resulted as follows and the motion carried:

J. Popli	Yea	J. Alloco	Yea
L. Bolzner	Yea	R. King	Yea
T. Milne	Yea	A. Burr	Yea
N. Jones	Yea		

### **Emerald Point Developers LLC**

Emerald Point Developers LLC, a real estate holding company, is constructing a new 44,000 sq. ft. building in the Town of Ogden, for its tenant Advantech Industries Inc., a related entity. Advantech Industries Inc. specializes in CNC, sheet metal fabrication, welding and assembly of building components made to customer supplied designs. Advantech outgrew its main facility located at 3850 Buffalo Road, and transferred its sheet metal capabilities to an existing building across the street at 3841 Buffalo Rd., where it will construct an addition to the existing building. Advantech Industries plans to create 15 new FTE's in addition to its existing 150 FTE's. The \$2 million project is seeking a real property tax abatement, mortgage recording tax and sales tax exemption. The cost benefit ratio is 40:1.

The applicant was represented by Marissa Allen, Treasurer. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance, and does not anticipate any local labor exemptions at this time. Ms. Baranello stated that there were no comments at the public hearing which was held on March 22, 2024.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON MARCH 22, 2024, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY EMERALD POINT DEVELOPERS LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION AND (C) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT-IN-LIEU-OF-TAX AGREEMENT ("PILOT AGREEMENT"); AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by R. King, second by T. Milne, for inducement and final resolution approving a real property tax abatement, mortgage recording tax exemption and sales tax exemption, a roll call vote resulted as follows and the motion carried:

J. Popli	Yea	J. Alloco	Yea
L. Bolzner	Yea	R. King	Yea
T. Milne	Yea	A. Burr	Yea
N. Jones	Yea		

### **Sibley Redevelopment II Limited Partnership/SWBR**

In 2012, at the request of the City of Rochester, COMIDA approved a custom PILOT Agreement for the redevelopment of the one million square foot, former Sibley's department store in the City of Rochester. Sibley Redevelopment II Limited Partnership is now proposing the renovation of 101,000 sq. ft of the existing building for new tenants, which include SWBR Architecture (105 FTEs), Bandwidth (30 FTEs), and Miss Julie's School of Beauty (5 FTEs). These new tenants will occupy 74,000 sq. ft., and the remaining space will be leased when renovations are complete. SWBR Architecture is requesting a sales tax exemption for FF&E and is projecting to create 26 FTEs in addition to its 105 existing employees. Sibley Redevelopment II, pending City approval, will receive the benefit of the existing PILOT Agreement and is also seeking a mortgage recording tax and sales tax exemption. The cost benefit ratio is 61:1.

The applicant was represented by Ken Greene, Sibley Redevelopment II, and from SWBR Michael Picard, CFO and Tom Gears, President. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance and does not expect any local labor exemptions at this time.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON MARCH 22, 2024, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN SIBLEY REDEVELOPMENT II LIMITED PARTNERSHIP OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") AND SWBR ARCHITECTURE, ENGINEERING & LANDSCAPE ARCHITECTURE, D.P.C. OR A RELATED ENTITY FORMED OR TO BE FORMED ("SWBR"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AND SWBR AS AGENTS OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY AND SWBR IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION AND (C) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT-IN-LIEU-OF-TAX AGREEMENT ("PILOT AGREEMENT"); AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by R. King, second by J. Popli, for inducement and final resolution approving a sales tax exemption, a roll call vote resulted as follows and the motion carried:

J. Popli	Abstain	J. Alloco	Yea
L. Bolzner	Yea	R. King	Yea
T. Milne	Yea	A. Burr	Yea
N. Jones	Yea		

Executive Director Liss presented the following modifications for considerations:

**O’Connell Electric Co. – Increase**

O’Connell Electric Co., Inc. is a full-service electrical contractor providing comprehensive design-build, construction, service, maintenance, and emergency response services. The project is a 20,000 sq. ft. two-story office building and training facility consisting of 56 offices, a large training room and related common area. This building was necessary to accommodate O’Connell Electric’s Power Division continued growth and expansion. O’Connell Electric anticipates creating 5 new FTEs in addition to the existing 19 FTEs. In June 2022, the \$6.5 million project was approved for a real property tax abatement, mortgage recording tax and sales tax exemption. The application was then approved for an increase in the sales tax exemption in January 2023. The applicant is now requesting an additional increase in project costs of \$2,613,007 due to the purchase of additional vehicles. The total project cost is now \$13,170,007 and the new sales tax exemption benefit amount is \$760,070.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY ADDITIONAL FINANCIAL ASSISTANCE IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by J. Alloco, second by L. Bolzner, all aye, motion carried to approve an increase in project costs.

**Gallina Elmgrove, LLC – Increase**

Gallina Elmgrove constructed a 34,000 sq. ft. office/warehouse building in the Town of Gates. The building joins 13 existing buildings in the Elmgrove Crossing Business Park. This building is considered a flex property to help cater to the demand for light industrial and flex space and will be divided in to suites for tenants to be identified. The applicant was approved for a sales tax and mortgage recording tax exemptions in October 2023. The applicant is requesting an increase in project costs of \$800,000 to complete the interior buildout for new secured tenants. The new sales tax exemption is not to exceed \$218,000. The total project cost is now \$3,875,000.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING ADDITIONAL FINANCIAL ASSISTANCE TO GALLINA ELMGROVE LLC (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY; AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by N. Jones, second by R. King, all aye, motion carried to approve an increase in project costs.

**Lemcke Real Estate Holdings LLC – Extension**

Lemcke Real Estate Holdings LLC, a real estate holding company, is constructing three buildings in the Town of Henrietta for its tenant, RAL Landscape, Inc. RAL Landscape is a family owned landscaping business that provides landscape maintenance, snow and ice management. The \$2,809,830 project was approved for a real property tax abatement, mortgage recording tax and sales tax exemption in June 2022. The applicant is seeking an extension of the sales tax exemption through December 31, 2024 because of construction and materials delays.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE EXTENSION OF THE SALES AND USE TAX EXEMPTION BENEFITS GRANTED TO LEMCKE REAL ESTATE HOLDINGS LLC (THE "COMPANY") THROUGH DECEMBER 31, 2024, AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by N. Jones, second by L. Bolzner, all aye, motion carried to approve an extension of the sales tax exemption.

Executive Director Liss introduced Joe Morelle Jr., and John Guilford, TRACS Instructor, from the Rochester Careers in Construction Inc. TRACS Program. After discussion, on motion by N. Jones, second by J. Popli, with an abstention by T. Milne, motion carried to approve the execution and delivery of a contract with Rochester Careers in Construction Inc. to support the TRACS program for \$250,000 per year for three years, subject to annual board approval.

Executive Director Liss presented a request from 1199 SEIU, to extend the existing contract for an additional 6 months due to timing issues. On motion by J. Alloco, second by R. King, all aye, motion carried to extend the 1199 SEIU contract for 6 months, through September 30, 2024.

Executive Director Liss reviewed the current dashboard.

The Audit Committee Report was given by Chair Burr. The Audit Committee met on March 19, 2024. The committee reviewed the financial audit, the audit committee charter and Whistleblower Policy. Mengal, Metzger, Barr presented the draft 2023 audit. The audit was unmodified with no significant deficiencies or material weaknesses. The committee re-adopted its charter and reviewed the Whistleblower Policy. The committee recommends that the full board accept the 2023 financial audit and readopt the Whistleblower Policy with no changes. Lastly, the committee reviewed its self-evaluation and noted the need for continuing education. John Rynkiewicz was in attendance to provide a high level summary and answer questions. On motion by J. Alloco, second by J. Popli, all aye, motion carried to approve the 2023 financial audit.

The Financial Committee Report was given by Chair Burr. The Finance Committee met on March 19, 2024. The committee reviewed the fee schedule, finance committee charter and Investment & Deposit Policy, employee handbook, and its self-evaluation. The committee readopted its charter and recommends re-adoption of the Investment and Deposit Policy. The committee recommends approval of the fee schedule with the addition of the new Small Project Sales Tax only fee schedule as a pilot program for one year. The committee reviewed the Investment Management Fiduciary Services RFP and has asked staff to re-issue the RFP and advertise on other platforms in the hopes of receiving more responses. Lastly, the committee reviewed its self-evaluation. On motion by J. Alloco, second by R. King, all aye, motion carried to approve the employee handbook. On motion by T. Milne, second by J. Alloco, all aye, motion carried to approve the revised fee schedule with the new Small Project Sales Tax Only fee program being approved for one year.

The Governance Committee Report was given by J. Popli. The Governance Committee met on March 19, 2024. All policies were reviewed and a change is recommended to the Conflict of Interest Policy. The committee also reviewed the by-laws, Mission Statement and Measurement Report and Board Evaluation Summary and noted the need for continuing education. It is also recommended to provide the skill set for new board members, as well as a policy to not contact board members and adding a certification to the application to acknowledge this.

On motion by J. Popli, second by J. Alloco, all aye, motion carried to readopt policies, with changes to the Conflict of Interest Policy as discussed.

On motion by T. Milne, second by R. King, all aye, motion carried to readopt the Bylaws, with no changes.

On motion by J. Alloco, second by L. Bolzner, all aye, motion carried to readopt the Mission Statement and adopt the Performance Measurement Report.

On motion by J. Popli, second by J. Alloco, all aye, motion carried to appoint the following officers:

Ann Burr, Chair  
Jay Popli, Vice Chair  
Troy Milne, Secretary  
Lisa Bolzner, Treasurer  
Ethics Officer – Chair of Audit Committee  
Contracting Officer – Executive Director

On motion by J. Popli, second by J. Alloco, all aye, motion carried to re-adopt the Audit Committee, Finance Committee and Governance Committee Charters.

The Board Evaluation Summary was reviewed and discussed.

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Executive Director Liss stated that staff is still working on the annual PARIS report due by April 1<sup>st</sup>. There are still some projects that still have not returned the annual report to staff. Staff will continue to gather the required information and will report back at the next meeting.

Chair Burr thanked the staff and the board for their hard work and time.

There being no further business to discuss, on motion by J. Popli, second by J. Alloco, all aye, the regular meeting of the Board was adjourned at 1:46 p.m.