



COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING MINUTES
July 16, 2024

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

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

Board Absent: J. Popli

Also Present: A. Liss, A. Clark, K. Loewke, R. Baranello, Esq., Taville Francis, G. Genovese, B. LaFountain

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

T. Milne requested an addition to the minutes of the June 18, 2024 board meeting. On motion by L. Bolzner, second by T. Milne, all aye, minutes of the June 18, 2024 meeting, with additions as requested by T. Milne, were approved.

T. Milne requested a copy of the directors and officers insurance policy.

Executive Director Liss presented the local labor monitoring report on behalf of K. Loewke for June 2024.

B. Lafountain had no exemptions to report for June 2024. T. Milne raised concerns with the waiver process and waiver granted to Flagship in connection with the fairlife project. T. Milne also stated that there are local construction workers capable of assisting with the scope of work being performed by Flagship. B. Lafountain stated that he was unable to locate email correspondence with T. Milne regarding the Flagship waiver but reiterated that the waiver was warranted. T. Milne and N. Jones discussed the number of out of area workers from Flagship and N. Jones requested that the governance committee review the waiver process.

G. Genovese presented the financial report for June 2024.

80 Lyndon, LLC

80 Lyndon LLC proposes the expansion of the Rochester Ice Center located at 80 Lyndon Rd in the Town of Perinton. The Rochester Ice Center is considered "retail" under section 862 of the General Municipal Law. In order to qualify for benefits, Rochester Ice Center demonstrated that the facility will attract a significant number of visitors from outside the economic development region to train, participate, and spectate at events. The addition of a new 49,000 square foot third rink will serve as the home for numerous youth and collegiate programs including St. John Fisher University's new hockey program and feature amenities for players and fans alike. This \$8.5 million dollar project is expected to create 8 new FTEs over a three year period in addition to 23 current FTEs that will be retained. 80 Lyndon LLC is seeking approval of a real property tax abatement, sales tax exemption, and mortgage recording tax exemption. The benefit/incentive ratio is 6:1.

The applicant was represented by Shawn O'Donnell. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance. The applicant indicated that they

are uncertain if there will be a need for local labor waivers at this time. Mr. O'Donnell indicated that he will be meeting with B. Lafountain to discuss ice surfacing and installation of bleachers. Ms. Baranello stated that there were no comments at the public hearing which was held on July 15, 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 JULY 15, 2024, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY 80 LYNDON RD., 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 L. Bolzner for inducement and final resolution approving a sales tax exemption, partial mortgage recording tax exemption and a partial real property tax abatement, a roll call vote resulted as follows and the motion carried:

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

Indus Lehigh Station LLC

Indus Lehigh Station LLC proposes the construction of a 53,000 sq ft Towneplace Suites by Marriott hotel in the Town of Henrietta. This unique offering to Monroe County's hospitality landscape will cater to the demand for quality accommodations arising from tourism and events. This hotel has an arrangement with RIT's Hospitality Management program and will provide students with hands on experience in the hospitality industry during construction and operation. This facility is considered "retail" under Section 862 of the General Municipal Law. In order to qualify for benefits, Indus has demonstrated that a significant number of patrons from outside the economic development region will travel to the area and stay at the facility. This \$21 million project is expected to create 18.5 new FTEs over the next three years. At this time, the applicant is only requesting a sales tax exemption and mortgage recording tax exemption and plans to apply for a real property tax abatement at a later date. The Benefit/Incentive ratio is 27:1.

The applicant was represented by Jett Mehta. The applicant confirmed awareness of the local labor policy. The applicant indicated that they know of one potential waiver that may be needed in regards to the gycrete flooring as there is no manufacturer in the region. The applicant then acknowledged that exemptions must be requested 45 days in advance. Ms. Baranello stated that there were no comments at the public hearing which was held on July 15, 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 JULY 15, 2024, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY INDUS LEHIGH STATION 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, AND (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by N. Jones, second by R. King, for inducement and final resolution approving a sales tax exemption and a partial mortgage recording tax exemption, a roll call vote resulted as follows and the motion did not carry:

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

T. Milne left the meeting.

Executive Director Liss presented the following modifications for consideration:

Ultraphil, LLC – Increase and Extension

Ultraphil LLC, a subsidiary of JCS Process & Controls Inc., received board approval in October 2023 for a sales tax exemption for the renovation of 10,000 sq. ft. in the Sibley Square building in the City of Rochester which included office, warehousing, and R&D space. The applicant is seeking an increase in project costs of \$2,420,338 as costs have increased due to structural modifications needed to accommodate the non-traditional layout of the space and an extension of the sales tax exemption through 12/31/2025. The total project cost is now \$6,383,547 and the new sales tax exemption benefit is \$218,214.

The applicant was represented by John Eaton.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO ULTRAPHIL LLC (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY; (ii) THE EXTENSION OF THE SALES TAX EXEMPTION BENEFIT and (iii) THE EXECUTION OF RELATED DOCUMENTS.

On motion by L. Bolzner, second by R. King, all aye, motion carried to approve an increase in project costs and an extension of the sales tax exemption through December 31, 2025.

The Raymond Corporation

The Raymond Corporation, a wholly owned subsidiary of Toyota Industries Corporation located in the Town of Henrietta, received board approval in December 2023 for a sales tax exemption for the renovation of 1565 Jefferson Rd. The applicant is seeking an increase in project costs of \$2,854,000 as project costs have increased due to the decision to increase the scope of renovations to include restrooms, private offices, breakrooms, and customer meeting areas. The total project cost is now \$4,779,000 and the new sales tax exemption is now \$369,120. The applicant is also requesting an extension through December 31, 2025 to accommodate long lead times associated with items included in the project costs.

The applicant was represented by Terry Zimmer, remotely.

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 DECEMBER 14, 2023, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY THE RAYMOND CORPORATION 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 N. Jones, second by R. King, all aye, motion carried to approve an increase in project costs and an extension of the sales tax exemption through December 31, 2025.

120 Marina Drive – Extension

120 Marina Drive, LLC, a real estate holding company, is constructing a 22,000 sq. ft. building for DiPasquale Construction Inc. and related entities. This new location in the Town of Greece will allow all entities to be housed together and will accommodate present and future growth. 120 Marina Drive, LLC was approved for a real property tax abatement, sales tax exemption, and mortgage recording tax exemption in June of 2022. The applicant was previously approved for an increase in project costs and is now seeking an extension of the sales tax exemption through December 31, 2025 as they are in the process of completing a build out on the building's 1st floor to accommodate Burn Boot Camp, a new tenant.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) THE EXTENSION OF THE SALES AND USE TAX EXEMPTION BENEFITS GRANTED TO 120 MARINA DRIVE LLC (THE "COMPANY") THROUGH DECEMBER 31, 2025; (ii) THE SUBLEASE OF A PORTION OF THE FACILITY TO BURN BOOT CAMP; AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by L. Bolzner, second by R. King, all aye, motion carried to approve an extension of the sales tax exemption through December 31, 2025 and a new tenant.

J. Alloco joined the meeting.

Executive Director Liss discussed a PILOT modification for the ACC OP (Park Point) LLC Project. The Rochester Institute of Technology has been leasing the former Barnes and Noble bookstore and now

intends to purchase the building. The sale will result in the removal of the building from the PILOT agreement, however, ACC OP will continue to make payments under the PILOT agreement as if the building were still subject to it. On motion by R. King, second by N. Jones, all aye, motion carried to approve the sale of the former Barnes & Noble building to RIT and the execution and delivery of the Consent and Agreement.

Executive Director Liss introduced Jim Senall from NextCorp to share results from the Embark program and request more time to execute the contract. On motion by L. Bolzner, second by R. King, all aye, motion carried to approve an extension of the contract with NextCorp for the Embark program through December 31, 2024.

Executive Director Liss introduced Pat Gooch from Monroe County Planning and Development to provide a status report on the Monroe County Comprehensive Plan. P. Gooch stated that there is a need to continue the work with the consultant to refocus and realign the efforts to complete the plan. N. Jones commented that he would hopes that the plan will include the topic of education. On motion by L. Bolzner, second by R. King, all aye, motion carried to approve up to \$150,000 to complete the Comprehensive Plan in 2025.

Chair Burr requested that the board reconsider the Indus Lehigh Station LLC project.

On motion by N. Jones, second by R. King, for inducement and final resolution approving a sales tax exemption and a partial mortgage recording tax exemption, a roll call vote resulted as follows and the motion carried:

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

J. Alloco noted that he is not in support of a real property tax abatement for this project.

Executive Director Liss reviewed the current dashboard.

There being no further business to discuss, on motion by J. Alloco, second by N. Jones, all aye, the regular meeting of the Board was adjourned at 1:20 p.m.