



COUNTY OF MONROE
COMIDA

INDUSTRIAL DEVELOPMENT AGENCY

DRAFT
BOARD MEETING MINUTES
December 17, 2024

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

Board Present: A. Burr, L. Bolzner, R. King, T. Tolefree, N. Jones

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

Chair Burr called the meeting to order at 12:02 p.m. and R. King led the board in the Pledge of Allegiance.

On motion by R. King, second by L. Bolzner, all aye, minutes of the November 19, 2024 meeting were approved.

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

K. Loewke presented the local labor exemption report for November 2024.

G. Genovese presented the financial report for November 2024.

Executive Director Liss presented the following projects for consideration:

AlchLight, LLC

Alchlight, LLC, a technology company specializing in advanced ultrafast laser material fabrication located in the City of Rochester, is proposing the purchase of a motorized 3D surface profiler. This equipment will be crucial to Alchlight's manufacturing process, allowing them to evaluate their manufacturing process and quality control. The \$145,279 project is projected to create 3 FTEs over the next three years. Alchlight, LLC has applied for a 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 Benefit/Incentive ratio is 140:1.

The applicant was represented by Vinh Ngo, General Manager & Senior Scientist. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance. The applicant 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) ALCHLIGHT, 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 N. Jones, second by T. Tolefree for inducement and final resolution approving a sales tax exemption, a roll call vote resulted as follows and the motion carried:

| | | | |
|-------------|-----|---------|-----|
| T. Tolefree | Yea | R. King | Yea |
| L. Bolzner | Yea | A. Burr | Yea |
| N. Jones | Yea | | |

Woerner Industries, LLC

Woerner Industries, LLC, a manufacturer of church furniture and machined equipment, proposes the purchase and renovation of a 24,742 square foot building in the City of Rochester. Woerner Industries recently acquired an Ohio based company and plans to consolidate operations into the newly renovated facility. Woerner Industries will allow the current owners to lease a portion of the building until they find a new location, after which they plan to renovate the remainder of the building. This \$2.9 million project is expected to create 4 new FTEs over the next three years in addition to its existing 18.5 FTEs. The applicant is requesting sales and mortgage recording tax exemptions only. The Benefit/incentive ratio is 52:1.

The applicant was represented by John Little, Owner and Jennifer Weinschreider, Business Manager. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance. The applicant 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 (i) APPOINTING WOERNER INDUSTRIES, LLC OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") AS ITS AGENT TO UNDERTAKE A CERTAIN PROJECT; (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) 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, RENOVATION 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 L. Bolzner, second by T. Tolefree for inducement and final resolution approving a sales tax exemption and mortgage recording tax exemption, a roll call vote resulted as follows and the motion carried:

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|-------------|-----|---------|-----|
| T. Tolefree | Yea | R. King | Yea |
| L. Bolzner | Yea | A. Burr | Yea |
| N. Jones | Yea | | |

Waffle8er, LLC

Waffle8er, LLC, a food production manufacturer specializing in waffles and other frozen foods, proposes the renovation of 3780 West Ridge Road, a 133,000 square foot building in the Town of Greece. Renovations include conversion of the facility from a dry storage warehouse to food manufacturing plant. A special 13-year real property tax abatement is supported by the Town of Greece in order to be competitive with offers from southern states luring the business. Waffle8er, LLC plans to create 133 FTEs over the next three years. The \$8.6 million project is seeking a custom real property tax abatement, mortgage recording tax exemption, and sales tax exemption. The cost/benefit ratio is 80:1.

The applicant was represented by Michael Pinkowski, President (via Zoom). The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance. The applicant 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 December 12, 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 DECEMBER 12, 2024, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY WAFFLE8ER 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, 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 N. Jones, second by L. Bolzner for inducement and final resolution approving a sales tax exemption, mortgage recording tax exemption and real property tax abatement, a roll call vote resulted as follows and the motion carried:

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|-------------|-----|---------|-----|
| T. Tolefree | Yea | R. King | Yea |
| L. Bolzner | Yea | A. Burr | Yea |
| N. Jones | Yea | | |

2851 Clover LLC

2851 Clover LLC, is proposing the construction of a new housing development in the Town of Pittsford designed around the desires of the Town for affordable workforce housing. The proposed development will include 122 one-bedroom, 42 two-bedroom, and 12 3-bedroom apartments with rents ranging from \$1,599-\$3,199 per month. This \$41 million project is projected to create 8 new FTEs over the next three years. 2851 Clover LLC is seeking approval of sales tax and mortgage recording tax exemptions. The benefit/incentive ratio is 17:1.

The applicant was represented by Anthony Daniele and Danny Daniele. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance. The applicant does not anticipate any local labor exemptions at this time. Ms. Baranello stated that there were a number of comments received at the public hearing, which was held on December 9, 2024. These comments have been distributed to the board. Written comments from the Town Supervisor and Town Attorney opposed the inclusion of a set aside and real property tax abatement, which is why the board is considering sales and mortgage tax benefits only and waiver of the set aside.

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 9, 2024, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY 2851 CLOVER, 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 T. Tolefree, second by N. Jones for inducement and final resolution approving a sales tax exemption and mortgage recording tax exemption and to waive the 20% affordable set aside, a roll call vote resulted as follows and the motion carried:

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|-------------|-----|---------|-----|
| T. Tolefree | Yea | R. King | Yea |
| L. Bolzner | Nay | A. Burr | Yea |
| N. Jones | Yea | | |

Executive Director Liss presented the following modifications for consideration:

I-Square, LLC – PILOT Modification/Extension

I-Square is a mixed-use town center development in the Town of Irondequoit. The project was originally approved in March 2013 for a custom real property tax abatement, mortgage recording tax and sales tax exemptions. This ongoing project has received several extensions of the sales tax exemption through December 31, 2024. The applicant is requesting to modify the PILOT agreement by adjusting the construction milestone, adding a parcel and removing another parcel. The Town of Irondequoit and the West Irondequoit School District are supportive of the modifications. For information purposes, the applicant is in the process of buying back The Market building located at 400 Bakers Park that was sold last year. In addition, the applicant is requesting another extension of the sales tax exemption through December 31, 2026.

The applicant was represented by Michael Nolan.

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 I-SQUARE, LLC (THE "COMPANY") THROUGH DECEMBER 31, 2026, AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by R. King, second by N. Jones, all aye, motion carried to approve an extension of the sales tax exemption through December 31, 2026

On motion by R. King, second by L. Bolzner, all aye, motion carried to authorize an amendment to the PILOT agreement and related documents to add a parcel, remove a parcel, and modify the final construction milestone.

Sibley Redevelopment LP – Extension

Sibley Redevelopment Limited Partnership, is one of 3 entities created to redevelop the former Sibley Building in the City of Rochester. The project was approved in December 2012. The applicant has been approved for several extensions of the sales tax exemption. The applicant is now seeking an additional

extension of the sales tax exemption through December 31, 2026 as they continue to attract new tenants to lease the vacant space.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) THE EXTENSION OF THE SALES TAX EXEMPTION BENEFIT GRANTED TO SIBLEY REDEVELOPMENT LIMITED PARTNERSHIP (THE "COMPANY") THROUGH DECEMBER 31, 2026; AND (ii) THE EXECUTION OF RELATED DOCUMENTS.

On motion by N. Jones, second by R. King, all aye, motion carried to approve an extension of the sales tax exemption through December 31, 2026.

Sibley Mixed Use LLC – Extension

Sibley Mixed Use LLC was originally approved for a custom PILOT for the redevelopment of the former Sibley's department store in 2012. In 2016, the project was approved for sales and mortgage recording tax exemptions. The applicant has been approved for several extensions of the sales tax exemptions. The applicant is now seeking an extension of the sales tax exemption through December 31, 2026 due to tenant improvement fit-out of the remaining commercial space necessary to fully occupy and stabilize commercial space.

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 SIBLEY MIXED USE LLC (THE "COMPANY") THROUGH DECEMBER 31, 2026; AND (ii) THE EXECUTION OF RELATED DOCUMENTS.

On motion by L. Bolzner, second by T. Tolefree, all aye, motion carried to approve an extension of the sales tax exemption through December 31, 2026.

Sibley Commercial LLC – Extension

Sibley Commercial LLC was originally approved for a custom real property tax abatement for the redevelopment of the former Sibley's department store in 2012. In 2016, the project was approved for sales and mortgage recording tax exemptions. The project has been approved for several extensions of the sales tax exemption. The applicant is again requesting an extension of the sales tax exemption through December 31, 2026 due to tenant improvement fit-out of the remaining commercial space necessary to fully occupy and stabilize commercial space.

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 SIBLEY COMMERCIAL LLC (THE "COMPANY") THROUGH DECEMBER 31, 2026, AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by N. Jones, second by T. Tolefree, all aye, motion carried to approve an extension of the sales tax exemption through December 31, 2026.

The Governance Committee Report was given by Chair Burr. The Governance Committee met on December 3, 2024 to review the administrative annual contracts. The committee recommends the full board re-approve them for another year. No action is being taken on the Local Labor Exemption Processing contract at this time. The committee also reviewed the two proposals that were received from

the Housing Study RFP. The committee has asked staff to re-issue the RFP to try and get more responses. The RFP has been re-issued and responses are due January 3, 2025.

On motion by R. King, second by N. Jones, all aye, motion carried to approve an engagement with Mengel, Metzger, Barr as certified financial auditor to perform the 2024 financial audit with terms from the Request for Proposal.

On motion by N. Jones, second by T. Tolefree, all aye, motion carried to approve an engagement with The Bonadio Group to provide accounting and chief financial services for fiscal year 2025 with terms from the Request for Proposal.

On motion by L. Bolzner, second by R. King, all aye, motion carried to approve a contract with Loewke Brill Consulting to provide local labor monitoring services for fiscal year 2025 with terms from the Request for Proposal.

On motion by L. Bolzner, second by T. Tolefree, all aye, motion carried to approve a contract with Harris Beach PLLC to provide legal services for fiscal year 2025 with terms from the Request for Proposal.

On motion by R. King, second by N. Jones, all aye, motion to extend the listing agreement with Pyramid Brokerage Company through December 31, 2025.

Executive Director Liss noted there were offers received for the three parcels on Brew Road which are owned by COMIDA. These offers are for 30 Brew Road, 75 Brew Road, and 141 Brew Road. The proposed use for 30 Brew Road is a trucking/hub parking area. The proposed use for 75 Brew Road and 141 Brew Road is a ready-mix concrete facility. The attorneys are working through the terms of the sales at this time.

Executive Director Liss stated that the SAM (State and Municipal) grant, which will be passed through COMIDA, will partially fund a \$17 million project to be undertaken by RG&E to expand power capacity in Henrietta and allow commercial and residential developments that are delayed or halted to move forward. The COMIDA board action is to make a SEQR determination along with the authorization to apply, receive and disburse the grant funds.

On motion by R. King, second by L. Bolzner, all aye motion carried to identify the RG&E project as an "Unlisted Action" under SEQR based upon Parts 1 and 2 of the Short EAF and determination that the Project will result in no potential adverse environmental impacts.

Chair Burr stated that the Agency, having conducted an uncoordinated review of the Project pursuant to SEQR, issued a Negative Declaration. On motion by N. Jones, second by R. King, all aye, motion carried.

On motion by L. Bolzner, second by T. Tolefree, all aye, motion carried to authorize the submission of the SAM Grant application, accept the funds and disburse the funds to RG&E for purposes of undertaking the Project.

Executive Director Liss shared the travel report with the board.

Executive Director Liss reviewed the current dashboard.

On motion by R. King, second by N. Jones, all aye, motion carried to enter into executive session under Section 105(f) to discuss the personnel matters.

On motion by N. Jones, second by L. Bolzner, all aye, motion carried to come out of Executive Session and continue the regular meeting.

On motion by T. Tolefree, second by R. King, all aye, motion carried to accept the staff performance reviews and confirm compensation steps as discussed.

There being no further business to discuss, on motion by R. King, second by N. Jones, all aye, the regular meeting of the Board was adjourned at 1:26 p.m.