



COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING MINUTES
December 19, 2023

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

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

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

Chair Burr called the meeting to order at 12:04 p.m. and J. Alloco led the board in the Pledge of Allegiance.

On motion by R. King, second by J. Popli, all aye, minutes of the November 21, 2023 meeting were approved.

K. Loewke presented the local labor monitoring report for November 2023.

G. Genovese presented the financial report for November 2023.

Executive Director Liss presented the following projects for consideration:

The Raymond Corporation

The Raymond Corporation is proposing the renovation of a 23,000 sq. ft. building in the Town of Henrietta. The Raymond Corporation is a subsidiary of Toyota Industries Corporation, the #1 in the global market for material handling equipment. The Raymond Corporation specializes in the design and manufacturing of electric warehouse lift trucks. The Raymond Corporation plans to expand in Monroe County to create a Center of Excellence due to the unique workforce and access to talent at local universities. The \$2 million project is projected to create 41 new FTEs over the next three years. The applicant is seeking approval of sales tax exemptions only. The Benefit/Incentive ratio is 40:1.

The applicant was represented by Jennifer de Souza, VP, Energy Solutions, Supply Chain & Leasing. 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 there were no comments at the public hearing which was held on December 14, 2023.

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; (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 J. Popli, second by J. Alloco, abstention by L. Bolzner 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	Abstain	R. King	Yea
T. Milne	Yea	A. Burr	Yea
N. Jones	Yea		

Eagles Landing 1 LLC

Eagles Landing 1 LLC is proposing the renovation of a 23,000 sq. ft. building in the Town of Henrietta for its tenant, The Raymond Corporation. The applicant is seeking approval of sales tax exemptions only on the \$800,000 project. The Raymond Corporation has applied for benefits separately. The Benefit/Incentive ratio is 11:1.

The applicant was represented by Eric Jones, Property Manager of LeFrois Associates. 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) EAGLES LANDING 1 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 J. Alloco, second by R. King, abstention by L. Bolzner 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	Abstain	R. King	Yea
T. Milne	Yea	A. Burr	Yea
N. Jones	Yea		

139 Troup Street LLC

139 Troup Street LLC is proposing the conversion of 2 buildings into market rate, multi-family housing in the City of Rochester. One building will contain 20 units which includes one studio, 16 one bedroom and 3 two bedroom apartments. Rent for these market rate apartments will range from \$1,025-\$1,650 per unit. The second building will be converted to house 6 studio units, 5 of which will be affordable to households earning no more than 60% of the area median income (AMI). 139 Troup Street LLC plans to create 1 new FTE. The \$3.3 million project, which is supported by the City of Rochester, is seeking a real property tax abatement, mortgage recording tax and sales tax exemption. The cost benefit ratio is 8:1.

The applicant was represented by Joseph Burklart. 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 there were no comments at the public hearing which was held on December 14, 2023.

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 139 TROUP STREET LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (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 FOR FINANCING RELATED TO THE PROJECT, 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.

The Board requested that the five affordable units be mixed between the two buildings. On motion by N. Jones, second by L. Bolzner for inducement and final resolution approving a partial mortgage recording tax exemption, sales tax exemptions and a partial real property tax abatement, 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		

JM&J Leasing Henrietta, LLC/Skyworks, LLC

JM&J Leasing Middle Road, LLC, a real estate holding company, is proposing the construction of a new 27,000 sq. ft. facility in the Town of Henrietta for their tenant Skyworks, LLC, a related entity. Skyworks is an equipment rental, sales and service company headquartered in Buffalo, NY and has locations in 10 states. Skyworks is currently located in Gates, but needs to relocate and expand in order to meet the growing customer needs. The new facility would consist of office, shop, and warehouse space. Skyworks plans to create 5 new FTE's in addition to its existing 23 FTE's. The \$7 million project is seeking a real property tax abatement, mortgage recording tax and sales tax exemption. The cost benefit ratio is 11:1.

The applicant was represented by Chad LaCivita, VP of Operations, Vice President, Creative Strategy. 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 there were no comments at the public hearing which was held on December 14, 2023.

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 JM&J LEASING HENRIETTA, LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (THE "COMPANY") AND SKYWORKS, LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (THE "TENANT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AND THE TENANT AS AGENTS OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY AND THE TENANT 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 T. Milne, second by R. King, abstention 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	Yea	J. Alloco	Yea
L. Bolzner	Abstain	R. King	Yea
T. Milne	Yea	A. Burr	Yea
N. Jones	Yea		

Executive Director Liss presented the following modifications for considerations:

One Forty-Five LLC – Increase and Extension

One Forty-Five LLC, a real estate holding company, is demolishing an existing 14,000 sq ft. building to construct a new 80,000 sq ft apartment building in the Neighborhood of the Arts in the City of Rochester. The \$15,000,000 project was approved in June 2021 for a real property tax abatement, mortgage recording tax and sales tax exemptions. The applicant is now seeking an increase in project costs and an extension of the sales tax exemption through December 31, 2025 due to higher construction costs and interest rates. The new sales tax exemption is now not to exceed \$682,000. The project was represented by Allan Stern.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO ONE FORTY-FIVE LLC (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY AND (ii) THE EXTENSION OF THE SALES AND USE TAX EXEMPTION BENEFITS THROUGH DECEMBER 31, 2025; AND THE EXECUTION OF RELATED DOCUMENTS.

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

DGNA Real Estate Holdings LLC – Extension

DGNA Real Estate Holdings LLC, a real estate holding company, acquired and is renovating a 40,000 sq. ft. facility in the Town of Penfield for its tenant Durst Image Technology, US LLC, a related entity. In October 2022, the applicant received a real property tax abatement, mortgage recording tax and sales tax exemption. In August 2023, Durst Image Technology, received an increase and extension of the sales tax exemption through December 31, 2024. The applicant is now also seeking an extension of the sales tax exemption through December 31, 2024 due to a delay in construction.

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

On motion by R. King, second by J. Popli, all aye, motion carried to approve an extension of the sales tax exemption through December 31, 2024.

Sibley Redevelopment Limited Partnership – 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. Redevelopment of the 4th and 5th floors has begun for 2 new tenants, Bandwidth and SWBR, reactivating more than 60,000 sq. ft. in the commercial portion of the redevelopment. The applicant has been approved for several extensions of the sales tax exemption. The applicant is seeking an extension of the sales tax exemption through December 31, 2024. The tenant is also seeking approval for the new tenants, Deaf Refugee Advocacy, Miss Julies School of Beauty and Miles Exotic Pets.

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, 2024; (ii) THE SUBLEASE OF PORTIONS OF THE FACILITY (DEFINED BELOW) TO DEAF REFUGEE ADVOCACY, MISS JULIES SCHOOL OF BEAUTY AND MILES EXOTIC PETS; AND (iii) THE EXECUTION OF RELATED DOCUMENTS.

On motion by L. Bolzner, second by N. Jones, all aye, motion carried to approve an extension of the sales tax exemption through December 31, 2024.

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, 2024 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 (AS HEREINAFTER DEFINED) GRANTED TO SIBLEY MIXED USE LLC (THE "COMPANY") THROUGH DECEMBER 31, 2024; AND (ii) THE EXECUTION OF RELATED DOCUMENTS.

On motion by R. King, second by L. Bolzner, all aye, motion carried to approve an extension of the sales tax exemption through December 31, 2024.

39 Jet View Drive, LLC – Extension

39 Jet View Drive, LLC, a real estate holding company, is constructing a 52,500 sq. ft. building for its tenant Sydor Optics, a manufacturer of precision optical substrates. The project, located in the Town of Chili, was originally approved in April 2021. In April 2023, an extension was approved through December 31, 2023. The applicant is now seeking another extension of the sales tax exemption through December 31, 2024 due to a change in the anticipated initial tenant.

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 (AS HEREINAFTER DEFINED) GRANTED TO 39 JET VIEW DRIVE, LLC (THE "COMPANY") THROUGH DECEMBER 31, 2024, AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by R. King, second by J. Popli, all aye, motion carried to approve an extension of the sales tax exemption through December 31, 2024.

Andrews Terrace Community Partners, L.P. - Extension

Andrews Terrace Community Partners, L.P. is purchasing and renovating Andrews Terrace Apartments in the City of Rochester. Andrews Terrace is an affordable housing project with 526 units, 496 of which are Section 8 housing. The applicant is renovating the units, common areas, building systems and exterior improvements. In February 2023, the applicant was approved for a Shelter Rent PILOT agreement, tax-exempt bond financing, and sales tax and mortgage recording tax exemptions through December 31, 2025. The applicant is now seeking an extension of the sales tax exemptions through December 31, 2026 due to a change in construction period completion date.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE EXTENSION OF THE SALES TAX EXEMPTION BENEFIT GRANTED TO ANDREWS TERRACE COMMUNITY PARTNERS, L.P. (THE "COMPANY") THROUGH DECEMBER 31, 2026; AND THE EXECUTION OF RELATED DOCUMENTS.

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

Executive Director Liss introduced Dr. Bruce Ingersoll and Dr. Dora Marion from Rochester Emergency Veterinary Services, Inc. to request funding from the board.

On motion by R. King, second by J. Alloco, all aye, motion carried to approve the execution and delivery of a contract with Rochester Emergency Veterinary Services, Inc. for equipment purchases needed to open a new hospital in an amount not to exceed \$100,000 for one year.

Executive Director Liss reviewed the staff travel report.

Executive Director Liss reviewed the meeting schedule for next year.

Executive Director Liss reviewed the current dashboard.

A motion was made to enter into Executive Session under Section 105(h and f) to discuss the proposed sale of real property and personnel matters. On motion by J. Popli, second by L. Bolzner, all aye, the motion was unanimously approved. The board went into executive session at 12:58 p.m.

On motion by N. Jones, second by R. King, all aye, motion carried to come out of Executive Session and continue the regular meeting at 1:20 p.m.

On motion by R. King, second by J. Popli, all aye, motion carried to refund part of the security deposit on the Brew Road purchase offer in an amount not to exceed \$6,725.

On motion by L. Bolzner, second by R. King, all aye, motion carried to return part of the IDA fee on the Gascon Family Vineyards, LLC transaction in an amount not to exceed \$1,851.13.

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

The Governance Committee Report was given by J. Popli. The Governance Committee met earlier on December 19, 2023 to review the administrative annual contracts. The committee recommends the full board re-approve them for another year.

Upon motion by J. Alloco, second by R. King, all aye, the board approved the following annual contracts, as recommended by the Governance Committee:

- Auditor Contract - An engagement with Mengel, Metzger, Barr as certified financial auditor to perform the 2023 financial audit with terms from the Request for Proposal.
- Accounting & Chief Financial Officer - An engagement with The Bonadio Group to provide accounting and chief financial services for fiscal year 2024 with terms from the Request for Proposal.
- Local Labor Monitoring Contract - A contract with Loewke Brill Consulting to provide local labor monitoring services for fiscal year 2024 with terms from the Request for Proposal.
- Local Labor Exemption Processing Contract - A contract with The Bonadio Group to process local labor exemptions for fiscal year 2024 with terms from the Request for Proposal.
- Legal Services Contract - A contract with Harris Beach, PLLC to provide legal services for fiscal year 2024 with terms from the Request for Proposal.
- Real Estate Broker Contract - To extend the listing agreement with Pyramid Brokerage Company through December 31, 2024, with same terms.

The Compliance Committee Report was given by Chair Burr. The Compliance Committee met on December 18, 2023. The committee recommends the full board approve job waivers for three projects.

On motion by R. King, second by T. Milne, all aye, motion approved to grant a job creation waiver to the following projects, as identified by project code:

2602 11 030 A
2602 14 036 A
2602 18 062 M

On motion by J. Popli, second by T. Milne, all aye, motion carried to adjourn the regular meeting at 1:45 p.m.