



COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING MINUTES
February 28, 2023

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

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

Board Absent: None

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

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 T. Milne, second by R. King, all aye, minutes of the January 17, 2023 meeting were approved.

A. Liss introduced Legislator Smith as the new legislative representative for COMIDA

J. Loewke presented the local labor monitoring report for January 2023.

A. Liss presented the labor exemption report for January 2023. The report outlined seven exemptions: Li-Cycle North American Hub was granted one exemption related to the provision of one Iron Worker from the Iron Workers Local #33 that resides outside of the COMIDA local labor jurisdiction. The Local #33 member is working for Apollo Steel. The exemption was based on the “No local labor available” criteria.

Indus South Union Street, LLC was granted two exemptions. The first was related to the installation of the tile and terrazzo at the project site on South Union Street in Rochester. The composition of the tile work force will consist of 6 local and 6 non-local workers, all Local 677 Glaziers and Glassworkers Union members. The exemption was based on the “No local labor available” criteria. The second was related to the Local 3 Bricklayers and Craft Workers Union’s provision of tile setters and tile finishers at the project site on South Union Street in Rochester. The exemption was based on the “No local labor available” criteria.

Pike Conductor DEV 1, LLC was granted one exemption related to the installation of the pallet racking system at the project site in Rochester. The pallet racking system is required to be installed by an LCI approved vendor by the Manufacturer’s warranty. The exempted contractor is LCI Industrial. The exemption was based on the “Warranty Issues related to the installation” criteria.

Plug Power Inc. was granted one exemption related sheet metal scope of work, including all duct, duct accessories, duct installation, and air balance services at the project site in Henrietta. The Sheet Metal Workers Local No. 46 does not have the required resources at this time, and the Albany, NY local is providing one working Foreman and one journeyman (McD Metals, LLC) to supplement the manpower. The exemption was based on the “No local labor available” criteria.

Whitney Housing I, LLC was granted one exemption related to the installation/application of the gypcrete flooring product to the floors at the project site on Whitney Road in Perinton. The exempted contractor is Henderson Johnson, Inc. The exemption is based on the “No local labor available” criteria.

Gannett Partners I, LLC was granted one exemption related to the structural steel and miscellaneous metals scope of work at the project site in Rochester. The exempted contractor is Holland Steel. The exemption is based on the “Significant cost differentials in bids whereby use of local labor significantly increases the cost of the project...” Criteria.

G. Genovese presented the financial report for January 2023.

Executive Director Liss presented the following projects for consideration:

Sun Density, Inc.

SunDensity, Inc. is proposing an expansion to its current facility located at 260 West Main Street in the City of Rochester. SunDensity is competing in the green energy sector and has a novel platform for nano-optical photonic smart coatings aimed at improving solar output by 20%. This expansion will allow for additional office space, lab and clean room for R&D as well as a place to house R&D equipment. The applicant was previously approved for the initial phase of this project in May 2021 for a sales tax exemption. The \$1 million project is projected to create 19 new FTEs over the next three years. The applicant is seeking approval of sales tax exemptions only. The Benefit/Incentive ratio is 221:1.

The applicant was represented by Nish Sonwalkar (via Zoom) and Greg Gresock. 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 February 28, 2023.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TO (i) APPOINT SUNDENSITY INC. 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 R. King, second by J. Alloco for inducement and final resolution approving a sales tax exemptions, 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		

Community Preservation Partners and Conifer Realty

Andrews Terrace (Conifer Realty and Community Preservation Partners) proposes to purchase and renovate 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 proposes renovating

the units, common areas, building systems and exterior improvements. The applicant is seeking approval of a Shelter Rent PILOT agreement, tax-exempt bond financing, and sales tax and mortgage recording tax exemptions. The project is expected to create 1 new FTE. The cost benefit ratio is 14:1.

The applicant was represented by Seth Gellis, Ari Shacter, Lisa Kaseman, John Fraser (via Zoom), Jason Carroll (via Zoom) and Lara Schwager (via Zoom). 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 February 28, 2023.

The board considered the following resolution: RESOLUTION AUTHORIZING THE ISSUANCE, EXECUTION, SALE AND DELIVERY BY THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY OF ITS MULTIFAMILY TAX-EXEMPT REVENUE BONDS (ANDREWS TERRACE PROJECT), SERIES 2023, IN ONE OR MORE SERIES, AS PART OF A PLAN OF FINANCING, IN AN AGGREGATE MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$193,000,000, AND THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS.

On motion by J. Popli, second by J. Alloco for inducement and final resolution approving a real property tax abatement, mortgage recording tax and sales tax exemption and the issuance of the Agency's tax exempt revenue bonds in an amount not to exceed \$193 million, 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		

Executive Director Liss presented the following project modifications for consideration:

30 West Broad Street, LLC - Extension

30 West Broad Street served as Rochester's City Hall for over a century and is included on the National Historic Register. The building will be converted from existing commercial office space to a mixed-use structure with thirty (30) market rate and affordable apartments, preserving and relocating existing tenants within the building. The conversion plan will also create an opportunity zone incubator for small businesses. This project anticipates to create 7 FTE's in addition to the 100 FTE's currently in the building. The project was originally approved for sales and mortgage recording tax exemptions in April 2021. An increase in the mortgage recording tax exemption was approved in June 2021. The applicant is now seeking and extension of the sales tax exemption.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE EXTENSION OF THE SALES AND USE TAX EXEMPTION BENEFITS GRANTED TO 30 WEST BROAD STREET, LLC (THROUGH DECEMBER 31, 2023; 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, 2023

Bace Build LLC - Extension

Bace Build, LLC is renovating a vacant building on South Avenue in the City of Rochester. The building will be converted to a mixed-use facility with 2 commercial floors and 1 residential floor consisting of 2 apartments. The project was approved in July 2021 for sales tax and mortgage recording tax exemptions. The applicant is now seeking an extension of the sales tax exemption.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE EXTENSION OF THE SALES AND USE TAX EXEMPTION BENEFITS GRANTED TO 216-222 SOUTH AVE., LLC THROUGH DECEMBER 31, 2024; AND THE EXECUTION OF RELATED DOCUMENTS.

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

Whitney Baird Associates, LLC – Increase and Extension

Whitney Board Associates LLC, a local real estate development company, was approved in 2010 to acquire and renovate the former Culver Road Armory in the City of Rochester. In August 2013, phase II was approved and in March 2016 phase III was approved for a custom real property tax abatement, sales and mortgage recording tax exemptions. Phase III of the project consists of a 15,000 square foot multi-tenant building and stalled due to economic conditions at the time. The applicant is now moving forwarding with the project and is requesting a renewal and extension of the sales tax as well as an increase in the sales tax and mortgage recording tax exemptions.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO WHITNEY BAIRD ASSOCIATES 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, 2024; AND THE EXECUTION OF RELATED DOCUMENTS.

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

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

Chair Popli reported that the Governance Committee met and continued to review the current local labor policy regarding specialty construction and warranty exemptions. The committee will meet again to continue the discussion.

Chair Burr reported that the Finance Committee met and will continue with the evaluation of funds as well as issue an RFP for an investment manager.

Executive Director Liss presented Donald Fiorilli from the 1199 SEIU League with a request for support through the Workforce Development Fund. On motion by J. Alloco, second by N. Jones, all aye, motion

carried to approve the execution and delivery of a contract with the 1199 SEIU League to support the Training and Upgrading Fund Program with an amount not to exceed \$300,000 for one year.

Executive Director Liss introduced Tim Weber who presented a request for COMIDA to submit a letter of intent to the Fast NY program. On motion from N. Jones, second by R. King, L. Bolzner, R. King, J. Alloco, N. Jones and A. Burr aye, J. Popli and T. Milne nay, motion carried to approve the submission of the FAST NY letter of intent to New York State for site improvements at the West Monroe Logistics Park located at 119 Shepard Road in the Town of Ogden.

On motion by R. King, second L. Bolzner, all aye, motion carried to enter into executive session under Section 105(h) of the Public Officers Law for the purpose of the proposed sale of real property.

On Motion from J. Alloco, second by J. Popli, all aye, motion carried to come out of executive session and continue with regular meeting.

On motion by T. Milne, second by J. Alloco, all aye, motion carried to extend the listing agreement with Pyramid Brokerage Company through December 31, 2023.

There being no further business to discuss, on motion by R. King, second by J. Popli, all aye, the regular meeting of the Board was adjourned at 1:47 p.m.