



COUNTY OF MONROE  
**COMIDA**  
INDUSTRIAL DEVELOPMENT AGENCY

**BOARD MEETING MINUTES**  
**March 28, 2023**

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

Board Present: A. Burr, T. Milne, L. Bolzner, J. Popli, J. Popli, J. Alloco (via Zoom)

Board Absent: R. King, N. Jones

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

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

On motion by J. Popli, second by L. Bolzner, all aye, minutes of the February 28, 2023 meeting were approved.

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

G. Genovese presented the financial report for February 2023.

Executive Director Liss presented the following projects for consideration:

**University Ave LLC/Black Button Distilling**

University Ave LLC is proposing an expansion to its existing building for its tenant Black Button Distilling. Founded in 2012, Black Button Distilling is relocating to a larger facility due to continued growth and expansion. The new location will increase space from 5,000 to 28,000 sq. ft. to accommodate increased production as well as an expansion of their tasting room. The tasting room will account for only 14% of the total project costs, with the remainder going to manufacturing expansion. Black Button plans to create 10 new FTE's in addition to its existing 25 FTE's. The \$3.9 million project is seeking a real property tax abatement and sales tax exemptions for the landlord and tenant. The cost benefit ratio is 46:1

The applicant was represented by Chris Calabro and Jerry Goldman. 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 March 23, 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 MARCH 23, 2023, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY UNIVERSITY AVE. LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") AND 24LIGNE LLC D/B/A BLACK BUTTON DISTILLING, OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, 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, RENOVATION AND EQUIPPING OF THE

PROJECT AND (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENTIN- 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 J. Popli, second by J. Alloco for inducement and final resolution approving a real property tax abatement and sales tax exemptions, a roll call vote resulted as follows and the motion carried:

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

Executive Director Liss presented the following project modifications for consideration:

**10 Gold Street Properties LLC - Assumption**

10 Gold Street Properties LLC developed a mixed use project in the City of Rochester consisting of 40 units of student housing, retail and office space. The applicant (Lofts at Gold Street, LLC) is requesting approval to assume the property tax abatement

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE ASSIGNMENT BY 10 GOLD STREET PROPERTIES, LLC OF CERTAIN FINANCIAL ASSISTANCE AND DOCUMENTS IN CONNECTION WITH A CERTAIN PROJECT LOCATED ON MOUNT HOPE AVENUE AND LANGSLOW STREET IN THE CITY OF ROCHESTER, NEW YORK, TO LOFTS AT GOLD STREET, LLC; AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by J. Popli, second by L. Bolzner all aye, motion carried to approve the sale of the facility and assignment of the real property tax abatement.

**Apple Latta, LLC - Extension**

Apple Latta LLC, a real estate holding company, is constructing a senior housing project in the Town of Greece. The \$58.6 million project was originally approved in May 2015. The project was approved for a custom real property tax abatement, mortgage recording tax and sales tax exemptions. The applicant is seeking an extension of the sales tax exemption through December 31, 2024 because of construction delays due to the pandemic, as well as material shortages.

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 APPLE LATTA II LLC (THE "COMPANY") THROUGH DECEMBER 31, 2024, AND THE EXECUTION OF RELATED DOCUMENTS.

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

**A50EB LLC - Extension**

A50EB LLC, a real estate holding company, is redeveloping the vacant Aqueduct buildings in the City of Rochester for its tenant Constellation Brands, Inc. Phase 1 of the project was originally approved in September of 2020 to construct a new two level parking ramp. Construction on the parking garage has been delayed to coordinate with the City of Rochester's downtown Main Street improvement projects. The applicant is requesting an extension of the sales tax exemption through December 31, 2023 to continue work on the garage.

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 A50EB LLC (THE "COMPANY") THROUGH DECEMBER 31, 2023, AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by T. Milne, second by J. Popli, all aye, motion carried to approve an extension of the sales tax exemption through December 31, 2023.

Director Liss presented to the board the request to increase the retention payments to the employees and vacation accruals for new employees to mirror Monroe County. On motion by T. Milne, second by L. Bolzner, all aye, motion carried to approve the changes in retention payments and vacation accruals for COMIDA employees.

Director Liss reviewed the 2022 Annual Report.

The Audit Committee Report was given by Chair Burr. The Audit Committee met on March 21<sup>nd</sup> and reviewed the audit, the audit committee charter and certain policies. Mengal, Metzger, Barr presented the draft 2022 audit. The audit was unmodified with no significant deficiencies or material weaknesses. The committee re-adopted its charter and recommended that the full board accept the 2022 financial audit and re-adopt the Internal Control & Financial Accountability Policy and the Whistleblower Policy with no changes. Lastly, the committee reviewed its self-evaluation and noted that there are no issues.

John Rynkiewicz gave a presentation summarizing the 2022 financial audit. On motion by T. Milne, second by L. Bolzner, all aye, motion carried the board accepted the 2022 financial audit as presented.

The Finance Committee Report was given by Chair Burr. The Finance Committee met on March 21<sup>nd</sup> and reviewed the fee schedule, finance committee charter and certain policies. The committee re-adopted its charter and recommended that the full board re-adopt the fee policy, with no changes, and the Investment and Deposit Policy, as revised to limit deposits in non-interest bearing accounts. The committee reviewed its self-evaluation and noted no issues.

The Governance Committee Report was given by Chair Popli. The Governance Committee met on March 21<sup>nd</sup> and reviewed all polices, by-laws, charter, the mission statement and 2022 measurement report as well as the board evaluation summary. The committee recommended the full board re-adopt all polices, the following with changes: (i) the Housing Policy, with revisions to the definition of "affordable"; (ii) the Investment and Deposit Policy, with revisions to limit deposits in non-interest bearing accounts; (iii) the Public Participation Policy, with revisions to the time by which an individual would need to sign up to speak and (iv) the Transparency and Accountability Policy with revisions to track changes in Article 18-A of the General Municipal Law.

On motion by J. Popli, second by L. Bolzner, all aye, motion carried for the full board to re-adopt the policies, with changes, as discussed.

On motion by T. Milne, second by J. Popli, all aye, motion carried for the full board to re-adopt the By-laws, as amended to remove term limits.

On motion by J. Alloco, second by T. Milne, all aye, motion carried for the full board to re-adopt 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. Alloco, second by L. Bolzner, all aye, motion carried to re-adopt the Audit Committee, Finance Committee and Governance Committee Charters.

The Board Evaluation Summary was reviewed and discussed.

Executive Director Liss stated that the PARIS report that was due March 31, 2023 has not been submitted yet. There are a handful of projects that still have not returned the annual report to staff to verify the number of employees. Staff will continue to gather the required information and will report back at the next meeting.

There being no further business to discuss, on motion by T. Milne, second by J. Popli, all aye, the regular meeting of the Board was adjourned at 1:06 p.m.