



COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

DRAFT
BOARD MEETING MINUTES
January 17, 2023

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

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

Board Absent: J. Alloco

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

Chair Burr called the meeting to order at 12:03 p.m. and L. Bolzner led the board in the Pledge of Allegiance.

On motion by J. Popli, second by R. King, all aye, minutes of the November 15, 2022 meeting were approved.

R. Ryerse, Business Manager for the International Brotherhood of Electrical Works Local #86 gave public comments regarding the Amazon Manitou project and noted that COVID protocols were relaxed as well as the badging system requirements.

K. Loewke presented the local labor monitoring report for November and December 2022.

B. Lafountain presented the labor exemption report for December 2022. The report outlined 1 local labor exemption for the Li-Cycle North American Hub project, related to the provision of a temporary crane operator until an operator from the local labor area can be retained at the project site in Rochester, NY. Exempted contractor is Maxim Crane. The exemption was based on the “No local labor available” criteria.

G. Genovese presented the financial report for December 2022.

Executive Director Liss presented the following projects for consideration:

Howitt-Bayview, LLC

Howitt-Bayview, LLC, is proposing the construction of a 60-Unit, four-story residential apartment building in the town of Penfield. The first floor will be set aside for senior living (55 and over) with 7 of those units additionally set aside for affordable housing. The affordable component will total 7,040 sq.ft. In addition, there will be 3 units on the first floor that will be fully ADA accessible. As part of the project Howitt-Bayview, LLC will construct a left turn lane from Empire Blvd onto Wilbur Tract Road to create a safer turning lane, which will also benefit neighboring businesses on Wilbur Tract Road. Howitt-Bayview plans to create 4 new FTEs. The \$13 million project is seeking a real property tax abatement, mortgage recording tax. The applicant was represented by Scott Doescher, Wendy Howitt and Jeff Levinson. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance, and anticipated the potential for one local labor exemptions regarding gypcrete. Ms. Baranello stated there were no comments at the public hearing which was held on December 15, 2022.

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 15, 2022, WITH RESPECT TO ACERTAIN PROJECT BEING UNDERTAKEN BY HOWITT-BAYVIEW 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, 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 L. Bolzner, second by J. Popli for inducement and final resolution approving a real property tax abatement, mortgage recording tax and sales tax exemptions, a roll call vote resulted as follows and the motion carried:

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

Whitney Baird Associates, LLC

Whitney Baird Associates, LLC, a real estate holding company, is proposing the renovation and modernization of the 155 Culver Rd facility in the City of Rochester as the tenant, Security Risk Advisors, has signed a long-term lease. The \$730,000 project is projected to create 44 new FTEs over the next three years. The applicant and tenant are both seeking approval of sales tax exemptions only. The Benefit/Incentive ratio is 1055:1. The applicant was represented by Gabe Siftar and Fred Rainaldi Jr. 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. No public hearing was required.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TO APPOINT (i) WHITNEY BAIRD ASSOCIATES, LLC OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") AND SECURITY RISK ADVISORS INTL, LLC OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "TENANT") AS ITS AGENTS TO UNDERTAKE A CERTAIN PROJECT AS MORE FULLY DESCRIBED BELOW; (ii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY AND THE TENANT IN THE FORM OF A SALES AND USE TAX EXEMPTIONS FOR PURCHASES AND RENTALS RELATED TO THE UNDERTAKING OF THE PROJECT; (iii) AUTHORIZE THE EXECUTION AND DELIVERY OF PROJECT AGREEMENTS AND RELATED DOCUMENTS; AND (iv) MAKE A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA.

On motion by R. King, second by J. Popli 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	Absent
----------	-----	-----------	--------

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

County Executive Adam Bello delivered a proclamation celebrating COMIDA's 50th Anniversary.

Executive Director Liss presented the following project modifications for consideration:

CT Rochester, LLC/University of Rochester - Assumption

CT Rochester, LLC has a mixed-use development adjacent to the University of Rochester, in the City of Rochester. CT Rochester, in partnership with the City of Rochester, redeveloped the 14 acre site which consists of retail, office, residential, hotel and parking facilities. In February 2013, the project was approved for a custom property tax abatement. The applicant 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 CT ROCHESTER, LLC OF CERTAIN FINANCIAL ASSISTANCE AND DOCUMENTS IN CONNECTION WITH A CERTAIN PROJECT LOCATED AT 1351 MOUNT HOPE AVENUE IN THE CITY OF ROCHESTER, NEW YORK, TO A FOR-PROFIT ENTITY FORMED OR TO BE FORMED AND RELATED TO THE UNIVERSITY OF ROCHESTER; AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by N. Jones, second by R. King all aye, motion carried to approve the assignment of the real property tax abatement.

FCP Driving Par LLC/1001 Driving Park LLC - Assumption

FCP Driving Park LLC, a real estate holding company, constructed a new 40,000 sq. ft. building for its tenant Farmer Jon's Popcorn in the City of Rochester. In January 2021, the \$6.8 million project was approved for a real property tax abatement, mortgage recording tax and sales tax exemption. The applicant 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 FCP DRIVING PARK LLC OF CERTAIN FINANCIAL ASSISTANCE AND DOCUMENTS IN CONNECTION WITH A CERTAIN PROJECT LOCATED AT 25-65 PHIL BANKS WAY IN THE CITY OF ROCHESTER, NEW YORK, TO 1001 DRIVING PARK, LLC OR A RELATED ENTITY FORMED OR TO BE FORMED; AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by N. Jones, second by L. Bolzner, all aye, motion carried to approve the assignment of the real property tax abatement.

O'Connell Electric Inc. – Increase and Extension

O'Connell Electric Co., Inc. is a full-service electrical contractor providing comprehensive design-build, construction, service, maintenance, and emergency response services. The proposed project is a 20,000 sq. ft. two-story office building and training facility consisting of 56 offices, a large training room and related common area. This building is necessary to accommodate O'Connell Electric's Power Division continued growth and expansion. O'Connell Electric anticipates creating 5 new FTEs in addition to the

existing 19 FTEs. In June 2022, the \$6.5 million project was approved for a real property tax abatement, mortgage recording tax and sales tax exemption. The applicant is now requesting an increase in project costs of \$4,000,000 due to the increase in construction costs. This amount includes \$3,050,000 in purchases of vehicles. The total project cost is now \$10,577,000 and the new sales tax exemption benefit amount is \$551,029 and the mortgage recording tax exemption is \$52,500. The applicant is also requesting an extension of the sales tax exemption through December 31, 2024 due to the extended completion date.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIALDEVELOPMENT AGENCY AUTHORIZING (i) AN AMENDMENT TO THE PROJECT SCOPE AND DESCRIPTION TO INCLUDE THE PURCHASE OF CERTAIN ALTEC/TEREX TRUCKS (AS HEREINAFTER DEFINED); (ii) ADDITIONAL FINANCIAL ASSISTANCE IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY; (iii) THE EXTENSION OF THE SALES AND USE TAX EXEMPTION BENEFITS (AS HEREINAFTER DEFINED) AND (iv) THE EXECUTION OF RELATED DOCUMENTS ALL IN RESPECT OF THE TO O'CONNELL ELECTRIC COMPANY, INC. PROJECT.

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

Tower 195 - Extension

Tower 195 LLC, a Gallina Development real estate entity, began redevelopment of the former Chase Tower in 2015, now known as The Metropolitan located in the City of Rochester. Since that time, there have been several increases to sales tax and mortgage recording tax exemptions as well as extensions of the sales tax exemption. The project was originally approved for a mortgage recording tax and sales tax exemptions in October of 2015. The applicant is seeking an extension of the sales tax exemption through December 31, 2023 to construct apartments on floor 26. The project should be complete by end of 2023.

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 TOWER 195 LLC (THE "COMPANY") THROUGH DECEMBER 31, 2023; AND 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, 2023.

Genesis Vision Inc. - Extension

Genesis Vision, Inc. dba Rochester Optical Manufacturing Company is renovating an existing building in the City of Rochester for its lens lab division. In December 2021, the project was approved for sales and mortgage recording tax exemptions. The project was approved for a sales tax extension last year through the end of 2022. The applicant is now requesting an extension through December 31, 2023 due to delays in delivery of manufacturing equipment and vehicles.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIALDEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE EXTENSION OF THE SALES AND USE TAX EXEMPTION BENEFITS (AS HEREINAFTER DEFINED) GRANTED TO GENESIS VISION, INC. (THE "COMPANY") THROUGH DECEMBER 31, 2023, AND THE EXECUTION OF RELATED DOCUMENTS.

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

Innovation Partners Roc LLC - Extension

Innovation Partners Roc LLC is renovating the Xerox Square property to create a collaborative academically focused campus. Phase 1 of the project was approved for sales and mortgage tax exemptions only in September 2020. Phase 2 of the project was approved for sales and mortgage recording tax exemptions only in November 2021. The applicant was approved for an increase in the mortgage recording tax exemption last year. The applicant is now requesting an extension of the sales tax exemption through December 31, 2023 to complete phase 2 of the project.

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 INNOVATION PARTNERS ROC LLC (THE "COMPANY") THROUGH DECEMBER 31, 2023; AND THE EXECUTION OF RELATED DOCUMENTS.

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

American Management/American Fleet - Extension

American Management, a real estate holding company, is adding 8,000 sq ft to its existing building for its tenant American Fleet Maintenance, a related entity. American Fleet Maintenance performs vehicle maintenance and repair on light duty to heavy duty trucks and trailers for local and national fleets. The \$1.65 million project was approved in March 2022 for a real property tax abatement, mortgage recording tax and sales tax exemption. The applicant is now requesting an extension through December 31, 2023 as more time is needed to complete the project.

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 AMERICAN FLEET MAINTENANCE, INC. (THE "COMPANY") THROUGH DECEMBER 31, 2023, AND THE EXECUTION OF RELATED DOCUMENTS.

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

Brad Griggs, Glendowlyn Thames, Harrison Sullivan, and Margaret Yu, all from Amazon, were present via Zoom to give an update on the USRE Manitou, LLC project. They provided project completion updates as well as an update on the \$1.7 million community contribution. James Murray-Coleman and Andy Ernest from Trammel Crow reviewed the local labor report for the project.

On motion by J. Popli, second by R. King, all eye motion carried to authorize the use of video conferencing pursuant to the Open Meetings Law Section 103-A and the adoption of the written procedures for the use of video conference.

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

Chari Popli also reported on the Governance Committee's discussion regarding the renewal of the following contracts:

Auditor – Mengel Metzger Bar as certified financial auditor to perform the 2022 financial audit per the proposal that was previously submitted; Accounting and Chief Financial Officer – Bonadio Group to provide accounting and chief financial services for fiscal year 2023; Local Labor Monitoring – Loewke Brill Consulting to provide local labor monitoring services for fiscal year 2023; Local Labor Exemption Processing – The Bonadio Group to process local labor exemptions for fiscal year 2023; Legal Services – Harris Beach PLLC to provide legal services for fiscal year 2023. On motion by J. Popli, second R. King, all aye, motion was approved to approve the renewal of all contracts listed above for fiscal year 2023.

Executive Director Liss presented a request to allocate additional funds to the Workforce Development Fund. On motion by R. King, second by N. Jones, all aye, motion approved to allocate an additional 20% of fee revenue received in 2022 to the Workforce Development Fund.

Executive Director Lis presented Angelica Perez-Delgado and Miguel Melendez from Ibero American Action League with a request for support through the Workforce Development Fund. On motion by N. Jones, second by J. Popli, all aye, motion carried to approve the execution and deliver of a contract with the Ibero American Action League to support the Ibero Workforce & Entrepreneurial Connection Program in an amount not to exceed \$1,000,000 for four years, subject to annual board approval.

Jim Gertner from Monroe Community College gave an update on the status of the MPower program.

Director Liss informed the Board that COMIDA will be hosting an MWBE breakfast in conjunction with the County, The Greater Rochester Chamber of Commerce and MCIDC.

Director Liss presented the Travel Report as well and the dashboard report to the board

There being no further business to discuss, on motion by J. Popli, second by R. King, all aye, the regular meeting of the Board was adjourned at 1:50 p.m.



INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

Local 86
2300 E. River Road
Rochester, N.Y. 14623
Tel: (585) 235-1510
Fax: (585) 235-0420

RAYMOND A. RYERSE JR., *Business Manager*
TIMOTHY M. LONGBINE, *President*
TODD M. KRENZER, *Financial Secretary*

To: Madam Chairperson and Board Members
From: Raymond A. Ryerse Jr.
Date: January 17th, 2023
Re: Covid-19 and Comida Requirements

Good afternoon, Madam Chairperson and Board Members,

My name is Raymond Ryerse, I am the Business Manager of the International Brotherhood of Electrical Workers Local Union #86.

I represent over 1400 Electricians in the Greater Rochester area; of which approximately 120 members worked on the Amazon ROC1 project.

All 120 members were required to use the "Badge in Badge out" system for accountability purposes, while in the employ of 3 Electrical Contractors.

Members working on the ROC1 project were subject to all Covid-19 and Comida requirements during the height of this project.

By Covid-19 requirements, I refer to a mandatory temperature check and wellness check set by the General Construction firms, Trammel Crow and Layton Construction.

Those same members were also in compliance with this Comida boards requirements:

1. Being a resident of the 9-county region mandate.
2. The "badge in badge out" protocols set by this board.

My statement here today is to serve as public record written into the minutes of this board meeting, as well, as provide context to how both the Covid -19 and the Comida requirements dissipated through the course of this project.

Simply stated as the Covid protocols relaxed so in turn did the badging requirements.

I can speak from firsthand experience, as well as the testimonials of my members and the signatory contractors for which they worked, these protocols not only dissipated but became virtually non-existent to the project as State and Federal Covid-19 mandates eased.

Quality and Pride since 1899

Affiliated with:

AFL-CIO • N.Y. State AFL-CIO • Rochester Labor Council AFL-CIO
N.Y. State Electrical Workers Association • N.Y. State Building Trades Council

This statement is to serve as a notice to remain ever vigilant and moreover, diligent when allocating tax exemptions and the protocols set forth to those, seeking to obtain said exemptions. My intents and purposes are not to imply malice or deception on those responsible for safeguarding county tax dollars, but rather serve as the litmus test for jobs and requirements to exemption in the years to come. I ask this statement to be entered into the minutes of this meeting to serve as a public record.

Respectfully submitted,

A handwritten signature in blue ink that reads "Raymond A. Ryerse Jr." The signature is written in a cursive style with a large initial 'R'.

Raymond A. Ryerse Jr.
Business Manager
I.B.E.W., Local #86
Phone: (585) 235-1510 extension 1107
Cell: (585) 465-9815
Fax: (585) 235-0420
Email: rryerse@ibewlu86.com