



COUNTY OF MONROE  
**COMIDA**  
INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING MINUTES  
August 15, 2023

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

Board Present: A. Burr, R. King, T. Milne, N. Jones, J. Alloco (Zoom)

Board Absent: J. Popli, L. Bolzner

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

Chair Burr called the meeting to order at 12:01 p.m. and N. Jones led the board in the Pledge of Allegiance.

On motion by R. King, second by T. Milne, all aye, minutes of the July 18, 2023 meeting were approved.

K. Loewke presented the local labor monitoring report for July 2023. T. Milne requested additional information regarding the current overall local labor number at 73.4% of the USRE Manitou Project.

B. Lafountain presented the following verified exemptions for July 2023:

**LiCycle North American Hub**

One exemption related to the provision of Union Members of Local #13 (Welders & Pipefitters) that do not reside within the COMIDA Local Labor area to supplement the workforce at the project site in Rochester. The Welders and Pipefitters work in Heavy Industrial, Commercial, and Residential sectors. The exemption was based on the “No local labor available...” criteria.

One exemption related to the provision of Union Members of Local #150 (Operating Engineers) that do not reside within the COMIDA Local Labor area to supplement the workforce at the project site in Rochester. The Operating Engineers are conducting Heavy Equipment Operation and Maintenance by industrial and commercial painters. The exemption was based on the “No local labor available...” criteria.

G. Genovese presented the financial report for July 2023.

Executive Director Liss presented the following projects for consideration:

**Ren Square, LLC**

Ren Square LLC, a real estate holding company, is proposing to renovate a 10,000 sq. ft. building in the City of Rochester. This property is located in the East Main Historic District and will transform this long vacant and blighted property into a mixed-use building. The first floor will be used as commercial space and the 2<sup>nd</sup> floor will contain four apartments, three of which will be market rate and one will be set aside as affordable. This project is a recipient of Restore NY funding and is a priority project for the City of Rochester. The \$2.5 million project is projected to create 1 new FTEs over the next three years. The applicant is seeking approval of sales tax and mortgage recording tax exemptions only. The Benefit/Incentive ratio is 17:1.

The applicant was represented by Pat Lemoine and Luke Dutton. 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 August 10<sup>th</sup>, 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 AUGUST 10, 2023, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY REN SQUARE, 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; AND (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION FOR FINANCING RELATED TO THE PROJECT; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT

On motion by R. King, second by N. Jones for inducement and final resolution approving sales tax and mortgage tax exemptions, a roll call vote resulted as follows and the motion carried:

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

Executive Director Liss presented the following modifications for considerations:

**Durst Imaging Inc. – Increase and Extension**

Durst Image Technology, US LLC, a manufacturer of digital inkjet printing systems for large image formats is renovating a 40,000 sq. foot facility in the Town of Penfield. The project was approved by the board in October 2022 for mortgage recording tax exemption, sales tax exemption as well as a property tax abatement. The applicant is requesting an increase in project costs of \$1,653,000 and an extension of the sales tax exemption through December 31, 2024 due to construction delays and increases in material and labor costs. The new sales tax exemption is not to exceed \$202,000. The total project cost is now \$4,696,150.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO DURST IMAGE TECHNOLOGY US 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, 2024; AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by R. King, second by N. Jones, all aye, motion carried to approve an increase in project costs and an extension of the sales tax exemption through December 31<sup>st</sup>, 2024.

The Governance Committee Report was given by A. Burr. The Governance Committee met on August 7<sup>th</sup> and discussed potentially expanding the local labor area. The committee talked about making projects first look for labor in the current ten county area and after best efforts have been exhausted, the project representative could look outside the ten county area but within NYS. The committee needs to continue

discussions on how to monitor this process.

The Compliance Committee Report was given by Chair Burr. The Compliance Committee met on August 7<sup>th</sup> to discuss compliance matters with respect to certain COMIDA projects. The committee reviewed the sales tax recapture report, which provided information on all companies that exceeded the authorized amount of sales tax savings. In 2022, 4 companies exceeded the authorize amount of sales tax savings and 3 of the 4 companies have repaid the amount exceeded to New York State. It is expected that the 4<sup>th</sup> company will repay shortly.

The committee reviewed all projects that have failed to make the required payments under their respective PILOT Agreements. Staff will send demand letters to each requiring payment within 30 days of the letter and reach out to the appropriate municipality. If a company fails to pay, the project may be subject to a penalty and/or termination.

The committee reviewed the job compliance report which provides information regarding companies seeking a waiver from job creation requirements contained in the PILOT Agreements. The committee asked for additional information and will meet again next month to continue the discussion.

Executive Director Liss introduced Jeff Hoffman, Director of Development of the Rochester Childfirst Network. Mr. Hoffman presented a request for support through the Workforce Development Fund. On motion by R. King, second by N. Jones, all aye, motion carried to approve the execution and delivery of a contract with Rochester Childfirst Network for the In-Home Family Childcare Provider program in Monroe County in an amount not to exceed \$300,000 for one year.

Executive Director Liss introduced Dave Seely, Executive Director of RochesterWorks, Inc., who presented two requests for support through the Workforce Development Fund. On motion by N. Jones, second by T. Milne, all aye, motion carried to approve the execution and delivery of a contract with Rochester Works, Inc. for the business Hiring & Training Grants Program (\$250,000) and the Enhanced Recovery Services Program (\$200,000) for one year.

Executive Director Liss explained that COMIDA is converting the business center into a conference room where future board meetings will be held. On motion by T. Milne, second by R. King, all aye, motion carried to authorize spending up to \$15,000 on furniture and design services to create a conference room.

Executive Director Liss discussed the FAST NY Grant Authorization. COMIDA is the recipient of a FAST NY Grant for \$20 million for RG&E to provide electrical infrastructure improvements at the Tebor Road site in the Town of Webster. The initial beneficiary of the improvements will be the planned fairlife, LLC dairy manufacturing facility, however the improvements will benefit the entire area and create shovel ready sites.

After discussion, the Board determined that more information was needed and the consideration to accept the first tranche of funding from the \$20 million Fast NY Grant for the Tebor Road site in the amount of \$7.3 million and authorize the Executive Director to enter into a grant disbursement agreement with Empire State Development will be postponed.

Executive Director Liss presented the dashboard.

On motion by R. King, second by T. Milne, all aye, motion carried to adjourn the regular meeting of the Board, adjourned at 1:24 p.m.