



BOARD MEETING MINUTES
May 19, 2020

DRAFT

Time & Place: 12:00 p.m. via conference call per Governor's Executive Order 202.1

Board Present: A. Burr, L. Bolzner, A. Meleo, J. Popli, T. Milne, R. King (arrived at 12:15), J. Alloco

Board Absent:

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

Chair Burr called the meeting to order at 12:00 p.m.

On motion by T. Milne, second by L. Bolzner, all aye, the minutes of the April 21, 2020 meeting were approved.

K. Loewke presented the local labor report for April 2020.

G. Genovese presented the financial report for April 2020.

Executive Director Liss presented the following project for consideration:

1. JD & Sons, Inc.

JD & Sons, Inc. (JD), a family run wholesale seafood processing company, is proposing construction of a new 25,000-30,000 square foot facility in the City of Rochester. Founded in 1988, JD focuses on processing fresh seafood from all over the world. The company is out of space in their current building and needs more space to accommodate growth. In addition to the new facility, JD intends to continue operations in their current location in the City of Rochester. The new facility will allow for the expansion of their salmon production line as well as provide an area for recycling packaging material. JD also plans to purchase an Individually Quick Frozen freezer to increase freezing capabilities which will introduce the company to additional markets and clients. The applicant is seeking approval of a JobsPlus property tax abatement, mortgage recording tax and sales tax exemptions. The \$5.1 million project will create 5 FTEs over the next three years. The benefit to incentive ratio is 9 : 1.

The applicant was represented by Ilias Diakomihalis and Dave Damelio. The applicant confirmed awareness of the local labor policy and that exemptions need to be requested 45 days in advance. There were no public comments at the public hearing.

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 MAY 19, 2020, WITH RESPECT TO THE JD & SONS, INC. (THE "COMPANY") PROJECT (THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (iii) APPOINTING THE COMPANY AS AN 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) IF NECESSARY, A 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 J. Popli to approve the resolution, second by R. King, a roll call vote resulted as follows and the motion carried:

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|------------|-----|-----------|-----|
| J. Popli | Aye | J. Alloco | Aye |
| A Meleo | Aye | R. King | Aye |
| L. Bolzner | Aye | A Burr | Aye |
| T. Milne | Aye | | |

A. Liss presented the following project modifications for consideration:

Sibley Commercial LLC - Extension

Sibley Commercial 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 is seeking an extension of the sales tax package through June 30, 2021 to continue the buildout of empty commercial space. New tenants include Boundless Connections LLC and Dunne Goodwin.

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 SIBLEY COMMERCIAL LLC (THE "COMPANY") THROUGH JUNE 30, 2021; AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by J. Popli to approve the resolution, second by L. Bolzner, all aye, the motion carried.

American Aerogel Corporation - Extension

American Aerogel Corporation (American Aerogel), is the tenant to Buckingham Properties, LLC. American Aerogel manufactures insulated shipping packages that keep temperature-sensitive material safe by using performance-leading aerogel-based insulation. The project was approved by the board in September 2019 for a property tax abatement, sales tax and mortgage recording tax exemptions. American Aerogel received a sales tax exemption on materials, furniture and fixtures on purchases of \$450,000. The applicant is seeking an extension of the sales tax exemption through June 30, 2021 as the project timeline was moved and is not starting until summer 2020.

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 AMERICAN AEROGEL CORPORATION (THE "COMPANY") THROUGH JUNE 30, 2021.

On motion by J. Alloco to approve the resolution, second by A. Meleo, all aye, the motion carried.

M/E Engineering P.C. – Increase

M/E Engineering P.C. is the tenant to M/E Properties, LLC, a real estate holding company. Founded in 1991, M/E Engineering is a mechanical/electrical consulting engineering firm. The firm outgrew their leased space and decided to purchase and renovate a building in the Town of Gates. The project was approved by the Board in February 2019 for a property tax abatement, sales tax and mortgage recording tax exemptions. M/E Engineering received a sales tax exemption on furniture/fixtures, computers, wiring and signage of \$390,000. The company is requesting an increase in project costs of \$120,000 to purchase additional computer equipment.

The applicant was represented by John Dredger.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING ADDITIONAL FINANCIAL ASSISTANCE TO M/E ENGINEERING, P.C. (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS APPROVED BY THE AGENCY IN ITS RESOLUTION ADOPTED ON FEBRUARY 19, 2019.

On motion by R. King to approve the resolution, second by L. Bolzner, all aye with one abstention by J. Popli, the motion carried.

Relph Benefit Advisors – Sales Tax Exemption

Relph Benefit Advisors (RBA) is one of the tenants to 800 Parker Hill, LLC, a real estate holding company that is constructing a 40,000 sq. ft. office building located on 6.9 acres in the new Panorama Park development in the Town of Penfield. The other tenant is Dolomite Products Co., Inc. RBA provides insurance and employee benefits services to companies with 100-3,000 employees. The project (800 Parker Hill LLC) was approved by the Board in January 2020 for a property tax abatement, sales tax and mortgage recording tax exemptions. At that time, RBA was not ready to apply for benefits. Relph Benefit Advisors is requesting a sales tax exemption on purchases of \$716,500 for certain machinery, equipment and related personal property and installation in the facility.

The applicant was represented by Shelby McPherson.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TO (i) APPOINT RELPH BENEFIT ADVISORS OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") AS ITS AGENT TO UNDERTAKE A CERTAIN PROJECT AS MORE FULLY DESCRIBED BELOW; (ii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE EQUIPPING OF THE IMPROVEMENTS (DEFINED BELOW); AND (iii) AUTHORIZE THE EXECUTION AND DELIVERY OF A PROJECT AGREEMENT AND RELATED DOCUMENTS.

On motion by R. King to approve the resolution, second by J. Popli, all aye, the motion carried.

Three City Center Partners, LLC – Renew Sales Tax/New Tenant

Three City Center Partners, LLC purchased and renovated the building at 180 South Clinton Avenue in 2016 and received approval for a real property tax abatement, mortgage recording tax and sales tax exemptions. The sales tax exemption expired July 31, 2018. Three City Center is requesting an extension and renewal of the sales tax exemption through December 31, 2020 as it will be performing extensive renovation work in connection with a lease for a new tenant, Rochester Gas & Electric Corporation.

The applicant was represented by Peter Landers and Ken Marvald.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) THE SUBLEASE BY THREE CITY CENTER PARTNERS LLC (THE "COMPANY") OF A PORTION OF ITS PROJECT (DEFINED BELOW) TO ROCHESTER GAS & ELECTRIC CORPORATION; AND (ii) THE EXECUTION OF RELATED DOCUMENTS.

On motion by R. King to approve the resolution, second by A. Meleo, all aye, the motion carried.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE EXTENSION OF SALES TAX EXEMPTION BENEFITS AND (ii) THE EXECUTION OF RELATED DOCUMENTS.

On motion by R. King to approve the resolution, second by A. Meleo, five ayes and two nays, the motion carried.

Alex Park South LLC – PILOT Amendment/New Tenant

Alex Park South LLC was originally approved in February 2009 as Alexander Monroe Associates who purchased the former Genesee Hospital facility to redevelop the site into a medical and healthcare related campus. Alex Park South LLC is requesting approval to amend the existing PILOT Agreement to apply the Healthcare Use Tax Abatement to the space that Rochester Regional Health will occupy (the entire premise formerly occupied by Windstream.) The City of Rochester is in support of a modification to the existing PILOT Agreement. The building will receive an abatement equal to 50% exemption from taxation, for a period of five years.

The applicant was represented by Chris Cimini and Tom Latta.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE SUBLEASE BY ALEX PARK SOUTH LLC (THE "COMPANY") OF A PORTION OF ITS PROJECT LOCATED AT 330-350 MONROE AVENUE IN THE CITY OF ROCHESTER, COUNTY OF MONROE AND STATE OF NEW YORK (THE "PROJECT") TO ROCHESTER REGIONAL HEALTH; AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by L. Bolzner to approve the resolution, second by J. Alloco, all aye, the motion carried.

Button Lofts, LLC – PILOT Reinstatement

Button Lofts was purchased in December 2013 and converted from a furniture warehouse to loft apartments and townhomes. The project was supported by the City of Rochester and utilized the City CUE program. In 2018, the PILOT agreement was terminated due to unpaid PILOT payments. All outstanding PILOT payments are now current. The PILOT agreement will resume as of the termination date and continue for the original term, through 2029. The City of Rochester supports reinstatement of the PILOT agreement.

The applicant was represented by Tom Masaschi.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) TAKING OFFICIAL ACTION APPOINTING BUTTON LOFTS, LLC (THE "COMPANY") AS AGENT OF THE AGENCY FOR THE PURPOSE OF CONTINUING AND MAINTAINING THE OPERATION OF THE FACILITY (AS DEFINED BELOW); AND (ii) AUTHORIZING THE REINSTATEMENT OF FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM A REAL PROPERTY TAX ABATEMENT.

On motion by A. Meleo to approve the resolution, second by J. Popli, all aye, the motion carried.

Chair Burr congratulated Executive Director Liss on being promoted to Director of Monroe County Planning & Development Department by County Executive Bello.

Executive Director Liss updated the board regarding the Emergency Small Business Support Program. Close to 500 applications have been received. Staff is working hard to go through all of the applications.

Executive Director Liss updated the board in regards to the TEN program. The program has had to change direction during the pandemic and is now looking into virtual classes. This program will be assessed going forward.

There being no further business and on motion by J Alloco, second by R. King, all aye, the regular meeting of the Board of Directors of was adjourned at 1:20 PM.

Lisa Bolzner, Secretary