



COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING MINUTES
October 19, 2021

Time & Place: 12:00 p.m. via Zoom

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

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

Chair Burr called the meeting to order at 12:01 p.m.

On motion by J. Alloco, second by J. Popli, all aye, the minutes from the September 21, 2021 meeting were approved.

K. Loewke presented the Local Labor Monitoring Report for September 2021.

In the absence of B. LaFountain, Executive Director Liss presented the Local Labor Exemption Report for September 2021. The first request is from USRE Rochester LLC for the exemption related to the installation and erection of the precast wall panels related to the project site on Shepard Road in Ogden, NY. The second request is from USRE Rochester LLC for the exemption related to the provision of the ironworkers and laborers from Union Hall for the project site on Shepard Road in Ogden, NY.

G. Genovese presented the Financial Report for September 2021.

Executive Director Liss presented the following projects for consideration:

587 LLC

587 LLC, a real estate holding company, is proposing to redevelop a vacant building in the City of Rochester into an apartment complex. The new building will consist of 16 market rate apartments ranging in size from 453 square feet to 841 square feet. Two of the 16 units will be affordable units for households earning equal or less than 60% AMI. The \$1.2 million project is seeking a real property tax abatement, mortgage recording tax and sales tax exemption. The cost benefit ratio is 7:1.

The applicant was represented by Neville Andy Greaves. 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 October 18, 2021.

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 OCTOBER 18, 2021, WITH RESPECT TO A CERTAIN PROJECTS AS BEING UNDERTAKEN BY 587 LLC (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, (B) 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, LEASE BACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by L. Bolzner, second by A. Meleo for inducement and final resolution approving a real property tax abatement, mortgage recording tax and sales tax exemption, a roll call vote resulted as follows and the motion carried:

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

A50EB LLC – Constellation Brands, Inc.

A50EB LLC, a real estate holding company, is proposing to redevelop the vacant Aqueduct buildings in the City of Rochester for its tenant, Constellation Brands, Inc. Constellation Brands is relocating its corporate headquarters to downtown Rochester. Previously, Constellation Brands, Inc. was considering relocating its headquarters to Chicago, Illinois. The applicant originally received approval in September 2020 for a mixed-use redevelopment project for the Aqueduct site. In March 2021 the applicant was approved for an increase in project costs. After discussions with Constellation Brands, the applicant has changed course and is focused on being landlord to this Fortune 500 company. The City of Rochester as well as other economic development partners are supportive of the project. The \$82 million project is seeking a custom real property tax abatement, mortgage recording tax and sales tax exemption. The tenant is requesting a sales tax exemption on furniture, fixtures, and equipment. The cost benefit ratio is 9:1.

The applicant was represented by Peter Landers and Jim Constanza. Others present were Steve Tierney, Nikki Wojtalewicz, Matt Carrigg, Dana Wood and David Crowe. 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 was a comment at the public hearing which was held on October 18, 2021. Gerald Dee from Local 276 Carpenters Hall is supportive of the project and wants to make connections with project principles to ensure work for members of Local 276.

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 OCTOBER 18, 2021, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY A50EB LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (THE "COMPANY") AND CONSTELLATION BRANDS, INC., OR A RELATED ENTITY FORMED OR TO BE FORMED (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 PURCHASE AND RENTALS RELATED TO THE ACQUISITION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) 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 PROJECT AGREEMENTS, A LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by R. King, second by T. Milne for inducement and final resolution approving a real property tax abatement, mortgage recording tax and sales tax exemption, a roll call vote resulted as follows and the motion carried:

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

Executive Director Liss presented the following project modifications for consideration:

Tower 195 LLC - 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 an extension 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, 2022 because of construction delays due to COVID. The project should be complete by end of 2022.

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, 2022; AND THE EXECUTION OF RELATED DOCUMENTS.

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

1733 Ridge Road LLC – PILOT Modification

The Company has requested that a portion of the land, known as "Lot 103," encumbered by the original lease agreements and original PILOT Agreement be released to accommodate financing by Five Star Bank (the "Lender"). This request is a result of a requirement from the Lender that Lot 103 have lease agreements and a PILOT Agreement separate from the original lease agreement and original PILOT Agreement.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION WITH THE RELEASE OF A CERTAIN PARCEL OF LAND ENCUMBERED BY THE LEASE AGREEMENT, LEASEBACK AGREEMENT AND PILOT AGREEMENT, EACH DATED AS OF FEBRUARY 1, 2019, BY AND BETWEEN THE AGENCY AND 1733 RIDGE RD LLC.

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

J. Popli reported that the Governance Committee met and continued discussions on a housing policy. The committee will meet again to finalize the policy for full board review and discussion.

A. Meleo reported that the Finance Committee met and reviewed the proposed 2022 budget and recommends that the full board adopt the 2022 budget as presented. Executive Director Liss and G. Genovese reviewed details of the 2022 budget. Upon motion by A. Meleo, second by L. Bolzner, all aye, the board adopted the 2022 budget as presented.

Executive Director Liss presented a request to extend the existing contract with Monroe Community College for the Mpower program for three months through December 31, 2021. Upon motion by J. Alloco, second by J. Popli, all aye, the board approved the motion.

Executive Director Liss presented a request to extend the existing contract with Loewke Brill for local labor monitoring for two months through December 31, 2021. Upon motion by T. Milne, second by J. Popli, all aye, motion carried.

Executive Director Liss introduced Amir Khan and Prakash Goswami who provided an update and change to the Marl Accelerator LLC program, previously approved. After discussions, a request to amend the program scope to work with young entrepreneurs and students from Monroe County colleges and universities was presented. Upon motion by J. Popli, second by R. King, all aye, motion carried.

Executive Director Liss announced that the updating the Monroe County Comprehensive Plan is now underway. Pat Gooch, Monroe County Senior Planner, gave a presentation and update on the Monroe County's Comprehensive Plan process. Rebecca Caico, Deputy Director, Monroe County Planning & Development, answered questions related to Monroe County's receipt and distribution of \$144M in American Rescue Plan Act funds.

Chair Burr thanked the COMIDA staff and team for doing a great job month to month and acknowledged the board members for their time commitment and efforts to move these important projects forward.

There being no further business the regular meeting of the Board of Directors was adjourned on motion by J. Alloco, second by J. Popli, all aye, at 1:46 p.m.

Lisa Bolzner, Secretary