



COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING MINUTES
February 16, 2021

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

Board Present: J. Alloco (arrived at 12:08), L. Bolzner, A. Burr, T. Milne, R. King, A. Meleo, J. Popli
Also Present: L. Birr, A. Clark, R. Finnerty, A. Liss, R. Baranello, Esq., G. Genovese, K. Loewke,
T. Oldham

Chair Burr called the meeting to order at 12:03 p.m.

On motion by L. Bolzner, second by R. King, all aye, minutes of the January 19, 2021 meeting were approved.

K. Loewke presented the local labor monitoring report for January 2021.

There were no local labor exemptions to report for January.

G. Genovese presented the financial report for January 2021.

Executive Director Liss presented the following projects for consideration:

Plug Power, Inc.

Plug Power Inc., a leading provider of Green Hydrogen and zero emission fuel cell solutions, is proposing to expand in Monroe County to accommodate business growth in the industry, by renovating an existing building in the Town of Henrietta. The new gigafactory will produce the equipment to make gigawatts (amounts of electrical power generation). Plug Power plans to create 277 FTE's over the next 3 years and invest over \$120 million over the next 5 years. The \$4.7 million project is seeking a real property tax abatement, mortgage recording tax and sales tax exemption. The cost benefit ratio is 14:1.

The applicant was represented by Dan O'Connell and Michael Stratton. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance. The applicant indicated that they may request local labor exemptions based on the installation of specialized equipment. Ms. Baranello noted comments were made at the public hearing by the Town of Henrietta Assessor and Town Supervisor regarding construction timelines and type of abatement.

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 FEBRUARY 11, 2021, WITH RESPECT TO A CERTAIN PROJECT (THE "PROJECT") BEING UNDERTAKEN BY PLUG POWER INC. (THE "COMPANY"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (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 UNDERTAKING 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, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH

RESPECT TO THE PROJECT.

On motion by J. Popli, second by L. Bolzner 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 | Yea |
| A. Meleo | Yea | R. King | Yea |
| L. Bolzner | Yea | A. Burr | Yea |
| T. Milne | Yea | | |

WF Elmridge LLC

WF Elmridge LLC, a real estate holding company, is purchasing a plaza in the Town of Greece, which has been vacant for over 10 years. Proposed tenants include: VC Athletics, an all-star and recreational cheerleading, dance and tumbling training center, expected to create 11 FTE's over the next three years and Product Source Group, LLC, a global manufacturer of protective apparel and supplies, expected to create 3 new FTE's, in addition to its existing 22 FTE's. A tenant for the third parcel is currently being pursued. The \$8.4 million project is seeking a custom real property tax abatement, supported by the Town of Greece, mortgage recording tax and sales tax exemptions. The cost benefit ratio is 5:1.

The applicant was represented by Jay Wegman and Corinne Nicholas. 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 noted comments were made at the public hearing from the Greece Central School District supporting the project and clarifying that the abatement will be on the full assessed value.

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 FEBRUARY 11, 2021, WITH RESPECT TO A CERTAIN PROJECT (THE "PROJECT") BEING UNDERTAKEN BY WF ELMRIDGE LLC (THE "COMPANY"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (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 UNDERTAKING 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, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

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

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|------------|-----|-----------|-----|
| 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:

American Packaging – Extension

American Packaging Corporation is a flexible packaging converter that services the food, beverage, medical, personal care, agriculture and other specialty markets. American Packaging built a new manufacturing facility in the Town of Chili and was originally approved by the board in February of 2017 for mortgage recording tax exemption, sales tax exemption as well as a custom property tax abatement. An extension of the sales tax exemption was previously approved through December 31, 2020. The applicant is now requesting an additional extension through June 30, 2021 due to a delay in equipment delivery as well as an increase in project costs of \$200,000. The total project cost is now \$127,293,000 and the new sales tax exemption benefit amount is not to exceed \$1,314,320.

The applicant was represented by Sarah Bryan.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE (i) EXTENSION OF THE SALES TAX EXEMPTION BENEFIT GRANTED TO AMERICAN PACKAGING CORPORATION (THE "COMPANY") THROUGH JUNE 30, 2021; AND (ii) GRANTING ADDITIONAL FINANCIAL ASSISTANCE IN THE AMOUNTS EXCEEDING THE AMOUNTS APPROVED BY THE AGENCY IN ITS RESOLUTIONS ADOPTED ON FEBRUARY 21, 2017, SEPTEMBER 18, 2018, NOVEMBER 19, 2019 AND OCTOBER 20, 2020; AND THE EXECUTION OF RELATED DOCUMENTS.

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

SimuTech Group Inc. – Extension

SimuTech Group, Inc. (SimuTech) provides engineering simulation software and engineering consulting with offices across the US and Canada. The Company primarily serves customers in the aerospace, automobile, defense, energy, healthcare and industrial equipment industries. SimuTech is constructing a new 14,500 square foot headquarters in the Town of Penfield. The project was approved by the board in October of 2019 for mortgage recording tax exemption, sales tax exemption and a property tax abatement. The applicant is seeking an extension of the sales tax exemption through December 31, 2021 as the project had delays due to the COVID-19 pandemic.

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 SIMUTECH GROUP, INC. (THE "COMPANY") THROUGH DECEMBER 31, 2021, AND THE EXECUTION OF RELATED DOCUMENTS.

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

Wiregrass Parkway LLC

Wiregrass Parkway LLC has entered into an agreement to purchase an 83,000 sq. ft. building being constructed by John Street Realty LLC (a LeFrois entity), for M S International, Inc, a related entity, in the Town of Henrietta. M S International, the tenant, is a leading wholesale distributor of flooring, countertops, wall tile and hardscaping products. The applicant is requesting approval to assume the real property tax abatement.

The applicant was represented by Eric Jones.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE ASSIGNMENT BY JOHN STREET REALTY LLC OF CERTAIN FINANCIAL ASSISTANCE IN CONNECTION WITH A CERTAIN PROJECT LOCATED ON WIREGRASS PARKWAY IN THE TOWN OF HENRIETTA, NEW YORK, TO WIREGRASS PARKWAY LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED, AND ITS TENANT, M S INTERNATIONAL, INC, AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by A. Meleo to approve the resolution, second by T. Milne, all aye, the motion carried.

Executive Director Liss introduced Todd Oldham, Vice President of Economic Development, Workforce and Career Technical Education at Monroe Community College, to give a 2020 status report on the Mpower program.

There being no further business the regular meeting of the Board was adjourned at 1:09 p.m.

Lisa Bolzner, Secretary