



COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

DRAFT
BOARD MEETING MINUTES
September 17, 2024

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

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

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

Chair Burr called the meeting to order at 12:02 p.m. and N. Jones led the board in the Pledge of Allegiance.

T. Milne requested a correction to the minutes of the August 20, 2024 board meeting. On motion by T. Milne, second by N. Jones, all aye, minutes of the August 20, 2024 meeting were approved, with the correction requested by T. Milne. T. Milne stated that R. Baranello's comment regarding fiduciary insurance at the August board meeting was incorrect.

K. Loewke presented the local labor monitoring report for August 2024.

Adam Hoffman from Local 22 requested to make a comment following K. Loewke's report. Mr. Hoffman expressed concern over the amount of time that the local labor monitor spent on the fairlife site and indicated that he feels COMIDA is not doing an adequate job of verifying that outside individuals are not on the job site.

Executive Director Liss presented the local labor exemption report for August 2024, on behalf of B. Lafountain.

T. Milne had questions on the fairlife waiver that was denied based on warranty exception. T. Milne stated that Centimark was still awarded the contract and intends to hire local for the work. T. Milne questioned what the recourse would be if Centimark was not in compliance. K. Loewke explained that workers who are not local are removed from the site. T. Milne then asked what recourse COMIDA has if Centimark is regularly out of compliance. R. Baranello stated that under COMIDA's Local Labor Policy the board at its discretion can suspend, terminate, and recapture benefits in the event of continued non-compliance but that COMIDA cannot take anticipatory action on an event of default that has not yet occurred.

G. Genovese presented the financial report for August 2024.

Executive Director Liss presented the following modifications for consideration:

20 Fairwood Road Associates, LLC/The Collegiate Rochester, LLC – Assumption

The Collegiate Rochester, LLC has entered into an agreement to purchase the student housing project at 4000 River Road in the Town of Henrietta and is requesting approval to assume the Shelter Rent property tax abatement.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE ASSIGNMENT BY 20 FAIRWOOD ROAD ASSOCIATES, LLC OF CERTAIN FINANCIAL ASSISTANCE AND

DOCUMENTS IN CONNECTION WITH A CERTAIN PROJECT LOCATED ON FAIRWOOD DRIVE (P/K/A 4000 EAST RIVER ROAD) IN THE TOWN OF HENRIETTA, NEW YORK, TO THE COLLEGIATE ROCHESTER LLC; AND THE EXECUTION OF RELATED DOCUMENTS.

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

The Marketplace – PILOT Modification

The Marketplace has requested that the Agency amend the PILOT Agreement payment schedule with respect to the 2025 Town of Henrietta and Monroe County tax year and the 2024-2025 Rush-Henrietta Central School District tax year for all of the parcels that comprise the site. The Town and School District have each granted their respective support of the Agency and the Marketplace to amend and modify the terms of the PILOT agreement.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE MODIFICATION OF THE EXISTING PAYMENT-IN-LIEU-OF-TAX AGREEMENT, DATED AS OF FEBRUARY 1, 2014, BY AND BETWEEN THE AGENCY AND THE MARKETPLACE WITH RESPECT TO THE PAYMENT SCHEDULE THEREUNDER AND THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH.

On motion by N. Jones, second by L. Bolzner, all aye, motion carried to modify the PILOT payment for the 2025 County and Town tax year and the 2024/2025 School tax year.

Executive Director Liss presented a request from the Monroe 2-Orleans BOCES CDL-B Workforce Development Program for an increase in funding that was originally approved in January 2024. On motion by L. Bolzner, second by T. Milne, all aye, motion carried to amend the contract with Monroe 2-Orleans BOCES to increase the consideration by \$4,566.50, now not to exceed \$223,611.50.

Executive Director Liss introduced a marketing opportunity, focusing on the promotion of the RETAIN Program, at the Camp Good Days & Special Times Courage Bowl Event. On motion by N. Jones, second by T. Milne, all aye, motion carried to authorize a payment of \$10,000 to Camp Good Days and Special Times for marketing at the 2024 Courage Bowl on October 5th.

Executive Director Liss discussed a marketing opportunity and promotional services at the Genesee Country Village & Museum Agricultural Fair. On motion by L. Bolzner, second by N. Jones, all aye, motion carried to authorize a payment of \$5,000 for marketing and promotion at the Farmers' Market Tent at the Genesee Country Village & Museum for the 2024 Agricultural Fair on October 5-6, 2024.

Executive Director Liss acknowledged Joe Stefko from One Roc, Johnna McCooley from Rochester Downtown Development Corporation, Don Jefferies from Visit Rochester, and Jim Brown from the Rochester Riverside Convention and then introduced Galin Brooks, President & CEO from Rochester Downtown Development Corporation to request the reallocation of funds originally approved in July 2023. On motion by N. Jones, second by L. Bolzner, all aye, motion carried to amend the contract with the Rochester Downtown Development Corporation to reallocate funds originally approved for the Downtown Ambassador pilot program to downtown revitalization programmatic support.

Executive Director Liss introduced James Gertner, Director Projects & Operations of Monroe Community College with a request for workforce development services through the MPower program administered by

Monroe Community College. On motion by N. Jones, second by L. Bolzner, all aye, motion carried to approve the execution and delivery of a contract with Monroe Community College for the workforce development services through the MPower program in an amount not to exceed \$750,000 through December 31, 2025.

Executive Director Liss introduced Anna Vulaj Fitzsimmons, Program Director of Monroe County Finger Lakes Apex Accelerator who presented the annual APEX performance report and the request for funding of either \$91,160 or \$145,000 for the 2025-2026 program year. The amount of funding is dependent upon whether the Department of Defense designates the area served by the Apex Accelerator as distressed or non-distressed. The distressed designation will result in higher funding from the Department of Defense thereby reducing COMIDA's matching funds to \$91,160. Conversely, the non-distressed designation will result in lower funding from the Department of Defense thereby increasing COMIDA's matching fund to \$145,000.. On motion by N. Jones, second by L. Bolzner, all aye, motion carried to approve funding in the amount not to exceed \$145,000 for fiscal year 2025/2026.

Ms. Clark discussed the need for funding increase for the database upgrade project in order to add functions and perform data cleanup. The board originally approved up to \$30,000 to upgrade the outdated project access database in May 2024. On motion by L. Bolzner, second by N. Jones, all aye, motion carried to amend the contract with Mindex to allow for up to an additional \$15,000 for recommended improvements to the database project not in the original scope.

R. King joined the meeting via Zoom.

Executive Director Liss reviewed the current dashboard.

Chair Burr reported on the Finance Committee which met on August 27th to discuss the RFP for Fiduciary & Investment Management Services. The committee recommended selecting High Probability Advisors. On motion by J. Alloco, second by R. King, with one nay from T. Milne, all others aye, motion carried to approve the execution and delivery of a contract with High Probability Advisors for Fiduciary & Investment Management Services, the fee for such services shall be up to 20 basis points (approximately \$30,000) through December 31, 2025.

J. Alloco left the meeting.

The Compliance Committee Report was given by Chair Burr. The Compliance Committee met on August 20th to discuss compliance matters with respect to certain COMIDA projects. The committee recommended job waivers be granted for year 2023 for 21 projects and the termination of benefits for 587 LLC.

On motion by R. King, second by N. Jones, all aye, motion carried to terminate the financial assistance provided and seek recapture for 587 LLC due to multiple local labor violations.

On motion by L. Bolzner, second by T. Milne, all aye, motion carried to grant a waiver to the following projects, as identified by project code:

- 2602 11 030 A
- 2602 11 042 A
- 2602 12 022 A
- 2602 13 006 A
- 2602 13 045 A

COMIDA Board Meeting Minutes

September 17, 2024

Page 4

- 2602 13 068 A
- 2602 14 008 A
- 2602 14 023 A
- 2602 14 029 A
- 2602 14 036 A
- 2602 15 079 A
- 2602 16 031 A
- 2602 17 004 A
- 2602 17 006 A
- 2602 17 010 A
- 2602 17 042 M
- 2602 18 062 M
- 2602 19 011 A
- 2602 19 017 A
- 2602 20 012 B
- 2602 21 050 A

Chair Burr noted the vacancy on the governance committee and recommended that the board appoint Rhett King. On motion by N. Jones, second by L. Bolzner, all aye, motion carried to appoint Rhett King to the governance committee.

Executive Director Liss recommended that the board nominate A. Burr to serve as chair of the governance committee. On motion by L. Bolzner, second by R. King, all aye, motion carried to appoint Ann Burr as the chair of the governance committee.

There being no further business to discuss, on motion by L. Bolzner, second by N. Jones, all aye, the regular meeting of the Board was adjourned at 1:06 p.m.