



**BOARD MEETING MINUTES**  
**January 19, 2021**

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

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

Board Absent: A. Meleo

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

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

On motion by R. King, second by J. Popli, all aye, minutes of the December 15, 2020 meeting were approved.

K. Loewke presented the local labor monitoring report for December 2020 and the 2020 annual report.

B. LaFountain presented the local labor exemptions report for December 2020.

G. Genovese presented the financial report for December 2020.

Executive Director Liss presented the following projects for consideration:

**Facility 4, Inc.**

Facility 4, Inc., a real estate holding company, is constructing a new 40,000 sq foot structural steel fabrication facility in the City of Rochester for its tenant Ramar Steel Sales, Inc., a related entity. This new facility will allow for a more streamlined approach to process and better serve its customers. Ramar Steel Sales will create 3 new FTE's. The \$4 million project is seeking a real property tax abatement, mortgage recording tax and sales tax exemption. The cost benefit ratio is 5:1.

The applicant was represented by Adam Randall, Jason Randall, Anthony Randall and Eric Jones. 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 there were no 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 JANUARY 15, 2021, WITH RESPECT TO A CERTAIN PROJECT (THE "PROJECT") BEING UNDERTAKEN BY FACILITY 4, INC. (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, CONSTRUCTION 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, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.**

On motion by R. King, 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	Absent	R. King	Yea
L. Bolzner	Yea	A. Burr	Yea
T. Milne	Yea		

**FCP Driving Park LLC**

---

FCP Driving Park LLC, a real estate holding company, is constructing a new 40,000 sq foot building for its tenant Farmer Jon's Popcorn in the City of Rochester. Farmer Jon's Popcorn is relocating from its current location on Ridgeway Avenue to this new location to increase the production of bagged popcorn. Farmer Jon's will create 45 new FTE's. The \$6.8 million project is seeking a real property tax abatement, mortgage recording tax and sales tax exemption. The tenant is requesting a sales tax exemption on furniture, fixtures & equipment. The cost benefit ratio is 29:1.

The applicant was represented by Brian Ross, David Merrick, Betsy Brugg and Peter Causyn. 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 there were no 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 JANUARY 15, 2021, WITH RESPECT TO A CERTAIN PROJECT (THE "PROJECT") BEING UNDERTAKEN BY FCP DRIVING PARK LLC (THE "COMPANY") AND FARMER JON'S POPCORN LLC (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 PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A MORTGAGE RECORDING TAX EXEMPTION AND (C) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENTIN- 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 L. Bolzner, second by J. Popli 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:

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

### **300 Trade Court Holdings**

---

300 Trade Court Holdings LLC, a real estate holding company, is constructing a new 27,000 sq foot facility in the Town of Chili for its tenant Nowave, a related entity. Nowave, is relocating from its current facility on Buell Road to this new facility to increase production of certified hemp products. Nowave a licensed NYS hemp processor, will create 7 new FTE's and retain its existing 28 FTE's. The \$4.5 million project is seeking a real property tax abatement, mortgage recording tax and sales tax exemption. The cost benefit ratio is 20:1.

The applicant was represented by Robert Anderson and Eric Jones. 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 there were no 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 JANUARY 15, 2021, WITH RESPECT TO A CERTAIN PROJECT (THE "PROJECT") BEING UNDERTAKEN BY 300 TRADE COURT HOLDINGS 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, CONSTRUCTION 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, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by J. Popli, second by R. King 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:

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

### **441 East LLC**

---

441 East LLC, a real estate holding company, is renovating an existing building in the City of Rochester for its tenant Lawley Insurance. This facility will house the administration, service teams and sales force. Lawley Insurance will create 6 new FTE's and retain its existing 54 FTE's. The \$3.6 million project is seeking a real property tax abatement, mortgage recording tax and sales tax exemption. The cost benefit ratio is 17:1.

The applicant was represented by David Dworkin and Mark Peterson. 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 there were no 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 JANUARY 15, 2021, WITH RESPECT TO A CERTAIN PROJECT (THE "PROJECT") BEING UNDERTAKEN BY 441 EAST 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, CONSTRUCTION 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, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by T. Milne, second by L. Bolzner 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:

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

#### **USRE Manitou LLC**

---

USRE Manitou, LLC, a real estate holding company, is constructing a new 2.6 million sq foot warehouse/distribution facility to be leased to Amazon.com Services LLC in the Town of Gates. The Town of Gates is supportive of the project. The \$412 million project is seeking a custom real property tax abatement, mortgage recording tax and sales tax exemption. Amazon.com Services LLC will create 1,000 FTE's and invest approximately \$100 million in material handling equipment and machinery. The cost benefit ratio is 8:1.

The applicant was represented by Luke Stephens, James Murray-Coleman, Andy Ernesto and Brad Griggs. 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 there were two comments made at the public hearing and that both were concerns related to planning/zoning issues.

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 JANUARY 15, 2021, WITH RESPECT TO A CERTAIN PROJECT (THE "PROJECT") BEING UNDERTAKEN BY USRE MANITOU, LLC (THE "COMPANY") AND AMAZON.COM SERVICES LLC (THE "TENANT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AND THE TENANT AS AGENT 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 PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION 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, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by J. Alloco, second by R. King for inducement and final resolution approving 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	Absent	R. King	Yea
L. Bolzner	Yea	A. Burr	Yea
T. Milne	Nay		

Executive Director Liss presented the following project modifications for consideration:

#### **291 South Plymouth LLC – Extension**

291 S. Plymouth, LLC, a developer of residential properties, is constructing three townhomes in the Cornhill Neighborhood. The project was approved by the board in March of 2020 for mortgage recording tax exemption, sales tax exemption as well as a property tax abatement. The applicant is seeking an extension of the sales tax exemption through December 31, 2021 as the project has delayed construction 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 291 S. PLYMOUTH, LLC (THE "COMPANY") THROUGH DECEMBER 31, 2021, AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by L. Bolzner to approve the resolution, second by R. King, all aye, the motion carried.

#### **Vigneri Chocolate Inc. – Extension**

Vigneri Chocolate, Inc. a second generation confectionery manufacturer has purchased a building in the City of Rochester and is renovating to expand production and distribution. The project was approved by the board in July of 2019 for mortgage recording tax exemption, sales tax exemption as well as a property tax abatement. The applicant is seeking an extension of the sales tax exemption through December 31, 2021 as the project has delayed construction 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 VIGNERI CHOCOLATE, INC. (THE "COMPANY") THROUGH DECEMBER 31, 2021, AND THE EXECUTION OF RELATED DOCUMENTS.

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

#### **Indus South Union Street LLC**

Indus South Union Street, LLC, a real estate holding company, affiliated with Indus Hospitality Group is constructing a Hampton Inn & Suites hotel adjacent to The Strong National Museum of Play in the City

of Rochester. The project was approved by the board in March of 2020 for mortgage recording tax exemption, sales tax exemption as well as a property tax abatement. The applicant previously received approval for an extension of the sales tax exemption through December 31, 2021 as the project has delayed construction due to the COVID-19 pandemic. The applicant is now seeking an extension through June 30, 2024 to allow for flexibility per its agreement with the City of Rochester.

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 GRANTED TO INDUS SOUTH UNION STREET LLC (THE "COMPANY") THROUGH JUNE 30, 2024, AND THE EXECUTION OF RELATED DOCUMENTS.

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

**PGH Kirstein LLC – Extension**

PGH Kirstein, LLC, has purchased and renovated the Kirstein Building in the City of Rochester. The project was approved by the board in December of 2016 for mortgage recording tax exemption, sales tax exemption as well as a custom property tax abatement. The applicant is seeking approval for a new tenant, Whacky Waffles LLC, a take-out restaurant as an existing tenant has recently vacated the building

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE SUBLEASING OF A PORTION OF THE PROJECT TO WHACKY WAFFLES HOUSE OF WHACKS LLC; AND THE EXECUTION OF RELATED DOCUMENTS.

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

Executive Director Liss informed the board that an RFP for Real Estate and Broker Services has been issued and responses are due back at the end of the month to sell the property on Brew Road in the Town of Riga.

There being no further business the regular meeting of the Board was adjourned at 1:16 p.m.

---

Lisa Bolzner, Secretary