



COUNTY OF MONROE  
**COMIDA**  
INDUSTRIAL DEVELOPMENT AGENCY

**BOARD MEETING MINUTES**  
**March 23, 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, A. Meleo, J. Popli

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

Chair Burr called the meeting to order at 12:08 p.m.

On motion by T. Milne, second by R. King, all aye, minutes of the February 16, 2021 meeting were approved.

K. Loewke presented the local labor monitoring report for February 2021. A. Meleo inquired if K. Loewke ever monitored on the weekend. K. Loewke stated that it was not a routine practice but confirmed that he had in the past and would monitor on the weekends if necessary. T. Milne asked how K. Loewke would monitor the Amazon Gates project site with the hundreds of workers on site; K. Loewke affirmed that all workers are required to have copies of their OSHA cards and drivers licenses in a readily available binder and that there is a date-logged sign-in sheet to assist with the labor monitoring process.

B. LaFountain presented the labor exemption report for February 2021.

G. Genovese presented the financial report for February 2021.

Executive Director Liss presented the following projects for consideration:

**FabExchange, Inc.**

FabExchange, Inc. recently purchased the ON semiconductor facility on Lake Avenue in the City of Rochester. FabExchange, Inc. is a strategic private equity firm specializing in the acquisition of semiconductor and electronic manufacturing services businesses. AIM Photonics, is currently located in the facility with 28.5 FTE's and will remain with the organization's TAP facility (testing, assembly and packaging). Integrated Photonics, the use of light for applications traditionally addressed through electronics, is used in many areas including telecommunications, laser-based radar, and data communications and is the focus of AIM Photonics. The \$2 million project is projected to create 7 new FTEs over the next three years. The applicant is seeking approval of sales tax exemptions only. The Benefit/Incentive ratio is 90:1.

Ms. Baranello confirmed that the applicant is required to sign the page of the application regarding the local labor policy and is made aware by staff of that policy prior to the COMIDA Board meeting. Ms. Baranello stated that the COMIDA staff would reach out to the applicant after the meeting again to reiterate the policy and ensure that they are aware that exemptions must be requested 45 days in advance. A public hearing was not required.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TO (i) APPOINT

FABEXCHANGE INC. 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 UNDERTAKING OF THE PROJECT; (iii) AUTHORIZE THE EXECUTION AND DELIVERY OF A PROJECT AGREEMENT AND RELATED DOCUMENTS; AND (iv) MAKE A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW).

On motion by J. Popli, second by L. Bolzner for inducement and final resolution approving a 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		

#### **Sticky Bottle, LLC**

Sticky Bottle, LLC, a real estate holding company, has purchased and is renovating a building at the Public Market in the City of Rochester to combine the current bakery retail operation (Flour City Bread Company) and open a full service restaurant. The property is located in a distressed census tract. The tenant, Public Provisions Inc, a related entity, is seeking a sales tax exemption on purchases including new ovens and kitchen equipment for the restaurant. The project plans to create 20 new FTE's. The \$1.5 million project is seeking a real property tax abatement and sales tax exemption. The cost benefit ratio is 64:1.

The applicant was represented by Keith Myers. 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.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TO (i) ACKNOWLEDGE THE PUBLIC HEARING HELD BY THE AGENCY ON MARCH 18, 2021, WITH RESPECT TO A CERTAIN PROJECT (THE "PROJECT") BEING UNDERTAKEN BY STICKY BOTTLE LLC (THE "COMPANY") AND PUBLIC PROVISIONS INC. (THE "TENANT"); (ii) APPOINT THE COMPANY AND THE TENANT AS ITS AGENTS TO UNDERTAKE THE PROJECT; (iii) MAKE A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (iv) AUTHORIZE 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 UNDERTAKING OF THE PROJECT, AND (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT-IN-LIEU-OF-TAX AGREEMENT (THE "PILOT AGREEMENT"); AND (v) AUTHORIZE 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 J. Alloco for inducement and final resolution approving a real property tax abatement 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		

### **3453 Union Street, LLC**

3453 Union Street, LLC, Inc., is proposing to construct a building which will be used for the activation of temperature moderated/controlled space, in addition to a food grade warehouse distribution center. This is a new business venture for the tenant C&M Forwarding. Phase 1 was approved by the board in June of 2018. This \$22.9 million project will create at least 1 new job and is seeking a real property tax abatement, mortgage recording tax and sales tax exemption. The cost benefit ratio is 4:1.

The applicant was represented by Michael Erne. 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.

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 MARCH 11, 2021, WITH RESPECT TO A CERTAIN PROJECT (THE "PROJECT") BEING UNDERTAKEN BY 3453 UNION STREET, LLC (THE "COMPANY") AND C. & M. FORWARDING COMPANY, INC. (THE "TENANT"); (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 AND THE TENANT IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE UNDERTAKING OF THE PROJECT, (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION AND (C) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT-IN-LIEU-OF-TAX AGREEMENT (THE "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 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	Yea	R. King	Yea
L. Bolzner	Yea	A. Burr	Yea
T. Milne	Yea		

### **USRE Rochester, LLC**

USRE Rochester, LLC, a real estate holding company, is proposing to construct a new 1-story 280,000 sq foot sortation distribution facility to be leased to Amazon.com Services LLC in the Town of Ogden. The Town of Ogden is supportive of the project. The \$45.6 million project is seeking a custom real property tax abatement, mortgage recording tax and sales tax exemption. Amazon.com Services LLC will create 150 FTE's and invest approximately \$30 million in material handling equipment and machinery. The cost

benefit ratio is 8:1.

The applicant was represented by Lange Allen from USRE Rochester, LLC, Brad Griggs from Amazon.com Services, LLC and Tim Weber from Acquest Development. 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. L. Allen confirmed that they are working with the Town of Ogden and the construction schedule will be available within the next 30 days. They are hoping to complete construction by April, 2022.

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 MARCH 18, 2021, WITH RESPECT TO A CERTAIN PROJECT (THE "PROJECT") BEING UNDERTAKEN BY USRE ROCHESTER, LLC (THE "COMPANY") AND AMAZON.COM SERVICES LLC (THE "TENANT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (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 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 WIT RESPECT TO THE PROJECT.

On motion by J. Alloco, 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	Yea	R. King	Yea
L. Bolzner	Yea	A. Burr	Yea
T. Milne	Nay		

Executive Director Liss presented the following project modifications for consideration:

**LiCycle, Inc. – Increase**

LiCycle, Inc., based in Canada, has located its Spoke 2 processing plant at Eastman Business Park in the Town of Greece. The Spoke 2 Plant will process approximately 5,000 metric tons of end-of-life lithiumion batteries per year. The applicant is seeking an increase in sales tax exemptions on construction materials, non-manufacturing equipment, and furniture and fixtures due to an increase in project costs.

The applicant was represented by Dave Tennity and Sky Zhou. T. Milne reminded the applicant of our local labor policy; D. Tennity confirmed that they were aware of the policy and would be mindful of it in future projects.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO LI-CYCLE INC. (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS APPROVED BY THE AGENCY IN ITS RESOLUTION ADOPTED ON SEPTEMBER 15, 2020; and (ii) THE EXECUTION OF RELATED DOCUMENTS.

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

**IEC Electronics Corp. – Increase**

IEC Electronics is purchasing and renovating a building in the Town of Chili. IEC Electronics was considering New Mexico as an alternate site but chose to expand in Upstate New York. The project is projected to create 150 new FTEs over the next three years. The overall project costs have decreased, however, certain project costs have been reallocated to components of the project that are subject to sales tax. As a result, the applicant is seeking an increase in sales tax exemptions of \$200,000.

The applicant was represented by Tom Barbato.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO IEC ELECTRONICS CORP. (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS APPROVED BY THE AGENCY IN ITS RESOLUTION ADOPTED ON DECEMBER 15, 2020; AND (ii) THE EXECUTION OF RELATED DOCUMENTS.

On motion by L. Bolzner to approve the resolution, second by T. Milne, all aye, the motion carried.

**Apple Latta II, LLC - Increase**

Apple Latta II, LLC, is constructing an extensive senior housing project in the Town of Greece, originally approved in May of 2015. An extension of the sales tax exemption was previously approved through December 31, 2022. The board originally approved mortgage recording tax exemptions on a mortgage or mortgages totaling up to \$46,880,000. To date, the applicant has financed approximately \$26 million. In order to complete the final phase of the project, the applicant is now requesting an increase in project costs of \$9,172,797. The total project cost is now \$67,772,797.

The applicant was represented by Angelo Ingrassia.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO APPLE LATTA II LLC (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS APPROVED BY THE AGENCY IN ITS RESOLUTIONS ADOPTED ON MAY 19, 2015 AND JULY 21, 2020; AND (ii) THE EXECUTION OF RELATED DOCUMENTS.

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

**A50EB LLC - Increase**

A50EB LLC, a real estate holding company, is proposing to redevelop the vacant Aqueduct buildings in the City of Rochester. Phase 1 of the project was originally approved in September of 2020 to construct a new two level parking ramp. The total project was originally estimated at \$22 million. The project has pivoted to address the growing need for remote work/live apartments and flexible co-working spaces. The applicant is now requesting an increase in project costs of \$11,000,000. The total project cost is now \$33,000,000.

The applicant was represented by Peter Landers.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO A50EB LLC (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS APPROVED BY THE AGENCY IN ITS RESOLUTION ADOPTED ON SEPTEMBER 15, 2020; and (iii) THE EXECUTION OF RELATED DOCUMENTS.

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

**Genesee Brooks LLC - Assumption**

Brooks Landing LLC has entered into an agreement to purchase the building located at 910-960 Genesee Street in the city of Rochester. Current tenants include office space for the University of Rochester as well as several restaurants. The applicant is requesting approval to assume the real property tax abatement.

The applicant was represented by Paul White.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE ASSIGNMENT BY GENESEE BROOKS, LLC OF CERTAIN FINANCIAL ASSISTANCE IN CONNECTION WITH A CERTAIN PROJECT LOCATED AT 910-960 GENESEE STREET IN THE CITY OF ROCHESTER, NEW YORK, TO BROOKS LANDING LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED, AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by R. King to approve the resolution, second by T. Milne, all aye, the motion carried.

Executive Director Liss presented a motion to approve funding to the Monroe County Comprehensive Plan in an amount not to exceed \$200,000. On motion by J. Alloco to approve the resolution, second by L. Bolzner, all aye, the motion carried.

Executive Director Liss presented a motion to authorize a contract with Pyramid Brokerage Company to market and sell land owned by COMIDA on Brew Road in the Town of Riga. Upon motion by J. Alloco to approve the resolution, second by J. Popli, all aye, the motion carried.

Executive Director Liss presented the 2020 Annual Report.

The Audit Committee Report was given by Chair Burr. The Audit Committee met on March 16<sup>th</sup> and reviewed the 2020 financial audit. The committee recommends that the full board accept the audit as presented. The committee also reviewed the charter, the self-evaluation, the Internal Controls &

Financial Accountability Policy and Whistle blower policy. The committee recommends that the full board re-adopt the policies and charter.

Tom Zuber and John Rynkiewicz gave a presentation summarizing the 2020 financial audit. Upon motion by T. Milne, second by R. King all aye, the board accepted the 2020 audited financial statement as presented.

The Finance Committee report was given by A. Meleo. The Finance Committee met on March 16<sup>th</sup> and reviewed the fee schedule, the self-evaluation, and approved a list of financial institutions. The committee reviewed the charter, as well as the Investment and Deposit Policy, Disposition of Property Policy and Procurement Policy and recommends the full board re-adopt the charter and policies.

The Governance Committee report was given by J. Popli. The Governance Committee met on March 16<sup>th</sup> and reviewed all polices , by-laws, and charter, the mission statement and 2020 measurement report as well as the board evaluation summary. The committee recommends the full board re-adopt all polices.

Upon motion by J. Popli, second by A. Meleo, all aye, the board adopted/re-adopted all policies as recommended by the Governance Committee.

The board re-adopted the Agency by-laws on motion by J. Popli, second by L. Bolzner, all approved.

The board re-adopted the Mission Statement and accepted the performance measures report as presented on motion by J. Popli, second by T. Milne, all approved.

On motion by J. Alloco, second by R. King, all aye, the board appointed the following committee members and adopted the committee charters:

Audit Committee – Ann Burr, Chair, Troy Milne, Rhett King  
Finance Committee – Anthony Meleo, Chair, Lisa Bolzner, Rhett King  
Governance Committee – Jay Popli, Chair, Anthony Meleo, Joseph Alloco  
Annual Compliance Review Committee – Ann Burr, Chair, Troy Milne, Lisa Bolzner, Joseph Alloco

On motion by R. King, second by J. Popli, all aye, the board appointed the following board officers:

Ann Burr, Chair  
Jay Popli, Vice Chair  
Lisa Bolzner, Secretary  
Anthony Meleo, Treasurer  
Chair of Audit Committee, Ethics Officer  
Executive Director, Contracting Officer

The Board Evaluation Summary was reviewed and no issues were noted.

There being no further business the regular meeting of the Board was adjourned at 2:00 p.m.