



County of Monroe Industrial Development Agency

**BOARD MEETING MINUTES**

**November 17, 2020**

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

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

Board Absent: J. Alloco

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

Chair Burr called the meeting to order at 12:00 p.m.

On motion by J. Popli, second by L. Bolzner, all aye, minutes of the October 20, 2020 meeting were approved.

It was noted that Kevin Loewke was not able to present his report due to a last minute conflict. T. Milne inquired on the status of the Ring Concierge project receiving benefits if the project was completed in August. Ms. Baranello reported she has reached out to the company and has not heard back.

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

G. Genovese presented the financial report for October 2020.

Executive Director Liss presented the following projects for consideration:

**Magna Real Property AcquisitionCo LLC**

Magna Real Property AcquisitionCo LLC, a real estate holding company, proposes to expand its current facility in the City of Rochester from 32,000 sq. ft. to 63,000 sq. ft. for tenant XLI Manufacturing. The tenant is a leader in contract manufacturing, specializing in providing machining precision services. The \$2.5 million dollar project projects to create 25 new FTE's over the next three years. The applicant is seeking approval of sales tax and mortgage recording tax exemption and the JobsPlus property tax abatement. The cost benefit ratio is 42:1.

The applicant was represented by Chad Carta. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance. 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 NOVEMBER 17, 2020, WITH RESPECT TO THE MAGNA REAL PROPERTY ACQUISITIONCO LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (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 IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) IF NECESSARY, 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 to approve the resolution, second by L. Bolzner, a roll call vote resulted as follows and the motion carried:

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

**Northern Soy Inc.**

Northern Soy, Inc. develops and manufactures tofu and tempheh products under the brand name SoyBoy. Northern Soy is proposing to construct a 17,000 square foot addition to its existing facility in the Town of Chili. Northern Soy has received benefits through COMIDA in 2001. The current \$1.4 million project is projected to create 3 FTE's. The applicant is seeking approval of sales tax exemptions only. The Benefit/Incentive ratio is 19:1.

The applicant was represented by Norman Holland. At initial inquiry from Chair Burr, the applicant stated that he was not aware of the local labor policy. After further review, the applicant acknowledged the local labor policy and that the general contractor will oversee the process.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TO (i) APPOINT NORTHERN SOY, INC. OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") AS ITS AGENT TO UNDERTAKE A CERTAIN PROJECT; (ii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE CONSTRUCTION AND EQUIPPING OF THE FACILITY; (iii) MAKE A DETERMINATION WITH RESPECT TO SEQRA; AND (iv) AUTHORIZE THE EXECUTION AND DELIVERY OF A PROJECT AGREEMENT AND RELATED DOCUMENTS.

On motion by R. King to approve the resolution, second by A. Meleo, a roll call vote resulted as follows and the motion carried:

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

**AMS Sensors USA Inc.**

AMS Sensors USA Inc. is proposing to locate its first US location at Riverwood Tech Campus in the Town of Henrietta. The Rochester design center for AMS Sensors will be focusing on the growing market of consumer image sensor modules, the eyeball of a camera. The \$800,000 project is projected to create 25 new FTEs. The applicant is seeking approval of sales tax exemptions only. The Benefit/Incentive ratio is 116:1.

The applicant was represented by Fred Rainaldi and David Sackett. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TO (i) APPOINT AMS SENSORS USA INC. OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY,

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THE "COMPANY") AS ITS AGENT TO UNDERTAKE A CERTAIN PROJECT; (ii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO 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.

On motion by T. Milne to approve the resolution, second by J. Popli, a roll call vote resulted as follows and the motion carried:

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

#### **Butler Till Media Services**

Butler/Till Media Services Inc. is proposing to relocate its advertising and communications firm to the City of Rochester. The \$8 million project is projected to create 60 new FTEs over the next three years. The applicant previously received sales tax exemption benefits through COMIDA for its existing location and is seeking approval of a sales tax exemption at this new location. The Benefit/Incentive ratio is 23:1.

The applicant was represented by Melissa Palmer. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance. 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 TAKING OFFICIAL ACTION TO (i) ACKNOWLEDGE THE PUBLIC HEARING HELD BY THE AGENCY ON NOVEMBER 17, 2020, WITH RESPECT TO THE PROJECT; (ii) MAKE A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINT BUTLER/TILL MEDIA SERVICES, INC. OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") AS ITS AGENT TO UNDERTAKE THE PROJECT; (iv) AUTHORIZE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE PROJECT; AND (v) AUTHORIZE THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by J. Popli to approve the resolution, second by R. King, a roll call vote resulted as follows and the motion carried:

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

#### **Howitt-Paul Road LLC**

Howitt-Paul Road, LLC, is proposing to complete its senior housing community in the Town of Chili. Phase III of the project consists of 3 buildings containing 92 residential units, tenant common areas, commercial spaces, and storage units. All three buildings will be market rate rents. Phase 1 was approved for the JobsPlus property tax abatement in June of 2011. The \$17.8 million project is projected to create 2

new FTEs. The applicant is seeking approval of sales tax and mortgage recording tax exemptions. The Benefit/Incentive ratio is 13:1.

The applicant was represented by Scott Doescher, Jack Howitt, and Jeff Levinson. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance. 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 TAKING OFFICIAL ACTION TO (i) ACKNOWLEDGE THE PUBLIC HEARING HELD BY THE AGENCY ON NOVEMBER 17, 2020, WITH RESPECT TO THE PROJECT; (ii) MAKE A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINT HOWITT-PAUL ROAD, LLC OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY") AS ITS AGENT TO UNDERTAKE THE PROJECT; (iv) AUTHORIZE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE PROJECT AND (B) A MORTGAGE RECORDING TAX EXEMPTION; AND (v) AUTHORIZE THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by R. King to approve the resolution, second by L. Bolzner, a roll call vote resulted as follows and the motion carried:

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

### **South Park Development LLC**

South Park Development, LLC, a real estate holding company owned by Acquest Development, is proposing to construct a last mile e-commerce distribution facility for consumer products for its tenant, Amazon.com Services LLC. South Park Development will be constructing a 1-story, 180,000 facility in the Town of Greece. The \$54.2 million project includes a \$10 million investment from the tenant in material handling equipment. The project is expected to create 75 FTE's over three years. The applicant is seeking sales tax exemption, mortgage recording tax exemption, and a custom property tax abatement. The cost benefit ratio is 4:1.

The applicant was represented by Michael Huntress. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance. Ms. Baranello noted that written comments were received and distributed to the board.

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 NOVEMBER 12, 2020, WITH RESPECT TO THE SOUTH PARK DEVELOPMENT, LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (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 A. Meleo to approve the resolution, second by R. King, a roll call vote resulted as follows and the motion carried:

J. Popli	Yea	J. Alloco	Absent
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:

**The Meadows at English – Extension**

The Meadows at English LLC, a subsidiary of Ambassador Homes Inc., is a local developer and manager of senior housing communities. The Meadows is constructing 27 senior townhomes in the Town of Greece, NY. The project was approved by the board in April 2017 for sales and mortgage recording tax exemptions and the JobsPlus property tax abatement and the project received an extension of the sales tax exemption in April 2019. The applicant is seeking an additional extension of the sales tax exemption through December 31, 2021 as the project has had construction 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 THE MEADOWS AT ENGLISH LLC (THE "COMPANY") THROUGH DECEMBER 31, 2021, AND THE EXECUTION OF RELATED DOCUMENTS.

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

**390 East CBM LLC – Extension**

390 East CBM LLC, (390 East) a real estate holding company, is redeveloping the current East Ave Inn which was constructed in 1957, at the corner of East Ave. and Alexander St. The project is constructing a Marriott Courtyard hotel. The project was approved by the board in May 2019 for sales and mortgage recording tax exemptions and the JobsPlus property tax abatement. The applicant is seeking an extension of the sales tax exemption through December 31, 2021 as the project has had construction 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 390 EAST CBM, LLC (THE "COMPANY") THROUGH DECEMBER 31, 2021, AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by A. Meleo to approve the resolution, second by J. Popli, all aye and the motion carried.

**Five Twentyfive East Broad LLC – Increase and Extension**

FiveTwentyFive East Broad LLC, (525), is a real estate holding company, owned by the Konar Family. The company is constructing 4 buildings in the City of Rochester’s Neighborhood of Play (NOP). This is Phase 2, the final phase in the redevelopment of the area. The project was approved by the board in August 2019 for sales and mortgage recording tax exemptions as well as a custom real property tax abatement. The applicant is seeking an extension of the sales tax exemption through June 30, 2022 as well as an increase in project costs of \$6.7 million due to a redesign for Buildings A, B & D and delays due to the COVID 19 pandemic.

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The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO FIVETWENTYFIVE EAST BROAD LLC (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS APPROVED BY THE AGENCY IN ITS RESOLUTION ADOPTED ON AUGUST 20, 2019; AN EXTENSION OF THE SALES AND USE TAX EXEMPTION BENEFITS (AS HEREINAFTER DEFINED) THROUGH JUNE 30, 2022; and (iii) THE EXECUTION OF RELATED DOCUMENTS.

The project was represented by Gary Izzo and Michael Trojian. On motion by T. Milne to approve the resolution, second by A. Meleo, all aye, with one abstention by J. Popli, the motion carried.

Executive Director Liss introduced L. Sadowski, who presented a final report on the GEVA education/workforce development training program that was supported by COMIDA.

Executive Director Liss asked the board to approve the local labor monitoring contract with Loewke Brill Consulting Group Inc. Upon motion by T. Milne, second by J. Popli, all aye, the board approved the final year of a four-year contract with Loewke Brill Consulting Group Inc. to provide local labor monitoring services through October 31, 2021.

There being no further business the regular meeting of the Board of Directors of was adjourned at 1:22 p.m.

Lisa Bolzner, Secretary