



COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING MINUTES
October 17, 2023

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

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

Board Absent: T. Milne

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

Chair Burr called the meeting to order at 12:00 p.m. and N. Jones led the board in the Pledge of Allegiance.

On motion by R. King, second by L. Bolzner, all aye, minutes of the September 26, 2023 meeting were approved.

Grant Malone, President of the Rochester Building & Construction Trades Council inquired as to whether it is a prerequisite to applying and/or being approved for financial assistance for a company, like fairlife LLC, to have purchased the land on which the proposed project will be built. Ms. Baranello stated that is not a prerequisite.

J. Loewke presented the local labor monitoring report for September 2023.

G. Genovese presented the financial report for September 2023.

Executive Director Liss presented the following projects for consideration:

UltraPhil, LLC

UltraPhil LLC is proposing the renovation of 10,000 sq. ft. in the Sibley Square building in the City of Rochester. UltraPhil specializes in pilot beverage manufacturing and is a subsidiary of JCS Process & Controls Inc., a designer and manufacturer of beverage processing and blending equipment. This facility will allow for office, manufacturing and R&D space. The \$3.9 million project is projected to create 5 new FTEs over the next three years. The applicant is seeking approval of sales tax exemptions only. This project is contingent on support from Empire State Development. The Benefit/Incentive ratio is 230:1.

The applicant was represented by Greg Frechette, President and John Eaton. 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 which was held on October 16, 2023.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY TAKING OFFICIAL ACTION TO (i) APPOINT ULTRAPHIL LLC 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 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. NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED HEREIN, THE PROJECT IS CONTINGENT UPON SUPPORT FROM EMPIRE STATE DEVELOPMENT.

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
L. Bolzner	Yea	R. King	Yea
T. Milne	Absent	A. Burr	Yea
N. Jones	Yea		

Gallina Elmgrove LLC

Gallina Development is proposing the construction of a 34,000 sq. ft. office/warehouse building in the Town of Gates. The building will join 13 existing buildings in the Elmgrove Crossing Business Park. This building is considered a flex property to help cater to the demand for light industrial and flex space and will be divided in to suites for tenants to be identified. The applicant is seeking approval of sales tax and mortgage recording tax exemptions only. The Benefit/Incentive ratio is 9:1.

The applicant was represented by Evan Gallina. 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 which was held on October 16, 2023.

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 OCTOBER 16, 2023, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY GALLINA ELMGROVE LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, 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; AND (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION FOR FINANCING RELATED TO THE PROJECT; AND (v) AUTHORIZING 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, second by N. Jones for inducement and final resolution approving a mortgage recording tax exemption and sales tax exemptions, a roll call vote resulted as follows and the motion carried:

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

fairlife, LLC

Fairlife, LLC. is proposing to construct a new manufacturing operation in the Town of Webster to produce milk beverages using cold-filtration process for high-protein sports drinks. The 750,000 sq. ft. manufacturing facility will include milk processing, warehouse and support services buildings. Once operational, the facility will take in 5-6 million pounds of raw whole milk per day from local dairy farmers and is expected to support approximately 850 ongoing local dairy farm jobs in Upstate NY. The applicant is seeking a custom 20-year PILOT agreement that includes a fixed project value not to exceed \$50 million as well as a sales tax exemption. The Town of Webster has submitted a letter confirming the special PILOT agreement. The \$660 million project is projected to create 250 new FTEs over the next three years. The Benefit/Incentive ratio is 10:1.

The applicant was represented by Kevin McAuliffe, Esq., Barclay Damon. 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 was a comment at the public hearing which was held on October 16, 2023 that has been 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 OCTOBER 16, 2023, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY FAIRLIFE, LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (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, AND (B) 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 N. Jones, second by R. King for inducement and final resolution approving sales tax exemptions and a partial real property tax abatement, a roll call vote resulted as follows and the motion carried:

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

Executive Director Liss presented the following modifications for considerations:

Tower 195, LLC - Extension

Tower 195 LLC, a Gallina Development real estate entity, began redevelopment of the former Chase Tower in 2015, now known as The Metropolitan located in the City of Rochester. Since that time, there have been several increases to sales tax and mortgage recording tax exemptions as well as extensions of the sales tax exemption. The project was originally approved for a mortgage recording tax and sales tax exemptions in October of 2015. The applicant is seeking an extension of the sales tax exemption through December 31, 2024 to complete construction of apartments on floor 26. The project should be complete by end of 2024.

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 BENEFIT GRANTED TO TOWER 195 LLC (THE "COMPANY") THROUGH DECEMBER 31, 2024; AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by J. Popli, second by L. Bolzner, all aye, motion carried to approve an extension of the sales tax exemption through December 31, 2024.

Innovation Partner, Inc. - Extension

Innovation Partners Roc LLC is renovating the Xerox Square property to create a collaborative academically focused campus. Phase 1 of the project was approved for sales and mortgage recording tax exemptions only in September 2020. Phase 2 of the project was approved for sales and mortgage recording tax exemptions only in November 2021. The applicant was approved for an increase in the mortgage recording tax exemption last year and an extension in January 2023. The applicant is now requesting an extension of the sales tax exemption through December 31, 2024 to complete phase 2 of the project.

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 BENEFIT GRANTED TO INNOVATION PARTNERS ROC LLC (THE "COMPANY") THROUGH DECEMBER 31, 2024; AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by R. King, second by J. Popli, all aye, motion carried to approve an extension of the sales tax exemption through December 31, 2024.

J. Alloco left the meeting at 12:40 p.m.

Executive Director Liss introduced Anna Vulaj Fitzsimmons, Program Director, Monroe County Finger Lakes APEX Accelerator, to give a program annual report request for operations funding.

On motion by L. Bolzner, second by J. Popli, all aye, motion carried for funding in the amount not to exceed \$145,000 for fiscal year 2024/2025.

The Finance Committee Report was given by Chair Burr. The Finance Committee met on October 10, 2023 to review the proposed 2024 operating budget as well as review the current account/investment balances. The committee recommends the full board accept the budget as presented. G. Genovese reviewed the proposed budget and the current workforce development fund status.

After discussion, on motion by R. King, second by J. Popli, all aye, motion carried to accept the 2024 operating budget as presented and recommended by the Finance Committee.

A motion was made to enter into Executive Session under Section 105(h) to discuss the proposed sale of real property. On motion by L. Bolzner, second by N. Jones, all aye, the motion was unanimously approved. The board went into executive session at 12:58 p.m.

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On motion by N. Jones, second by R. King, all aye, motion carried to come out of Executive Session and continue the regular meeting. The board exited Executive Session and continued the regular meeting at 1:20 p.m.

Executive Director Liss reviewed the current dashboard.

On motion by N. Jones, second by L. Bolzner, all aye, motion carried to adjourn the regular meeting at 1:23 p.m.