



MINUTES - BOARD MEETING – September 18, 2018

Time & Place: 12:00 PM, Ogden Town Hall
269 Ogden Center Road
Board Present: L. Bolzner, A. Burr, G. Collins, J. Lusk, A. Meleo, T. Milne
Board Absent: J. Popli
Also Present: J. Adair (Executive Director), Bridget O’Brien (Economic Development Specialist)
R. Baranello, Esq. (Harris Beach PLLC)

Chair Burr called the meeting to order at 12:00 p.m. A. Meleo led the Pledge of Allegiance.

On motion by L. Bolzner second, by G. Collins, all aye, the minutes of the August 21, 2018 meeting were approved.

K. Loewke presented the local labor report for August 2018.

B. Lafountain reported on one verified exemption for 4000 River Road LLC. Mr. Milne requested that the Governance Committee review the local labor policy and exemption process.

Upon motion by J. Popli, seconded by T. Milne, all aye, the board resolved to go into Executive Session under Section 105(d) of the Public Officers Law. A motion to end Executive Session and continue the regular meeting was made by A. Meleo, seconded by L. Bolzner, all approved.

Executive Director Adair presented the following applications for agency consideration:

45 Becker Road LLC **Lease/Leaseback with JobsPlus Abatement**
45 Becker Road LLC a real estate holding company, will complete 8,070 sq. ft. of the 60,000 sq. ft. facility for the tenant Pharmacy Alternatives. The \$609,483 project projects the creation of 24 jobs over 3 years. Pharmacy Alternatives is a national pharmacy focused on serving individuals with cognitive, intellectual and developmental disabilities. Their approach includes specialized packaging and dispensing technology specially designed for the population served with medication management and education support. The applicant seeks JobsPlus property tax abatement, sales tax and mortgage recording tax exemption. The tenant seeks approval of sales tax exemption on tenant improvements and equipment purchases. The job creation requirement is 1. The benefit to incentive ratio is 14.3: 1.

The applicant was represented by G. Izzo. Upon inquiry from the Executive Director, the applicant confirmed the ownership of the project as disclosed on the application. Upon inquiry from the Chair, the applicant confirmed they are aware of the local labor policy.

Executive Director Adair presented the following resolution:

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE POWERED BY COMIDA TAKING OFFICIAL ACTION APPOINTING 45 BECKER ROAD, LLC AS AGENT OF THE AGENCY FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING THE FACILITY, AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGENT AGREEMENT; AUTHORIZING THE ACQUISITION OF A LEASEHOLD INTEREST IN AND THE LEASING OF THE 45 BECKER ROAD, LLC FACILITY

AND THE EXECUTION OF RELATED DOCUMENTS AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE FACILITY.

On motion for inducement and final resolution by A. Meleo, second by L. Bolzner, a roll call vote resulted as follows, and the motion carried:

Jay Popli	Absent
Anthony Meleo	Yea
Gary Collins	Yea
Troy Milne	Yea
Jared C. Lusk, Esq	Yea
Lisa Bolzner.	Yea
Ann L. Burr	Yea

550 East Main, LLC

Lease/Leaseback with JobsPlus Abatement

550 East Main, LLC, a real estate holding company, will purchase and renovate 550 East Main St. in the City of Rochester for Envative, a custom software developer. Envative, founded 20 years ago, has outgrown their 3,000 sq. ft. space on University Ave. The new 13,226 sq. ft. location will allow the company to create 24 additional jobs over the next 3 years. 550 East Main St. is located in a HUB Zone as designated by the US Small Business Administration. The company intends to apply for HUB Zone certification, which requires 35% of the workforce to be hired from within the HUB Zone. Additionally, the property will go back on the tax rolls (it has been off the tax rolls for 20 years). The project is expected to cost \$970,000. The applicant seeks the JobsPlus property tax abatement, sales tax and mortgage recording tax exemptions. The job creation requirement is 2. The benefit to incentive ratio is 12.8: 1.

The applicant was represented by Craig Lamb. Upon inquiry from the Executive Director, the applicant confirmed the ownership of the project as disclosed on the application. Upon inquiry from the Chair, the applicant confirmed they are aware of the local labor policy.

Ms. Baranello discussed comments at the public hearing.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE POWERED BY COMIDA TAKING OFFICIAL ACTION APPOINTING 550 EAST MAIN LLC AS AGENT OF THE AGENCY FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING THE FACILITY, AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGENT AGREEMENT; AUTHORIZING THE ACQUISITION OF A LEASEHOLD INTEREST IN AND THE LEASING OF THE 550 EAST MAIN LLC FACILITY AND THE EXECUTION OF RELATED DOCUMENTS AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE FACILITY.

On motion for inducement and final resolution by G. Collins, second by L. Bolzner, a roll call vote resulted as follows, and the motion carried:

Jay Popli	Absent
Anthony Meleo	Yea
Gary Collins	Yea
Troy Milne	Yea
Jared C. Lusk, Esq	Yea
Lisa Bolzner.	Yea
Ann L. Burr	Yea

Innovative Data Processing Solutions Ltd. (Innovative) is a technology company that provides information technology solutions to small and medium sized businesses. In order to accommodate demand and growth, Innovative needs additional space to operate. The company will relocate to the Riverwood Tech Campus in Henrietta, NY. Innovative currently employs a total of 61 people, 49 of which are in Monroe County. They expect to create 5 new full-time positions in Monroe County over the next year. Innovative has been approved for the GreatRate program through Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program. The applicant seeks sales tax exemption on technology, furniture and fixtures purchases related to the relocation. The benefit to incentive ratio is 5:1.

The applicant was represented by Justin Copie. Upon inquiry from the Executive Director, the applicant confirmed the ownership of the project as disclosed on the application. Upon inquiry from the Chair, the applicant confirmed they are aware of the local labor policy.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE POWERED BY COMIDA TAKING OFFICIAL ACTION TO (i) APPOINT INNOVATIVE DATA PROCESSING SOLUTIONS, LTD. 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 TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION AND INSTALLATION OF EQUIPMENT, AND (iii) EXECUTE AN AGENT AGREEMENT AND RELATED DOCUMENTS.

On motion for inducement and final resolution by A. Meleo, second by J. Lusk, a roll call vote resulted as follows, and the motion carried:

Jay Popli	Absent
Anthony Meleo	Yea
Gary Collins	Abstain due to conflict of interest
Troy Milne	Yea
Jared C. Lusk, Esq	Yea
Lisa Bolzner.	Yea
Ann L. Burr	Yea

Bio-Optronics

Sales Tax Exemption

Bio-Optronics Inc. (Bio-Optronics) a healthcare IT software developer for clinical research, patient and staff scheduling programs currently leases 10,544 square feet at 1890 Winton Rd. South in the Town of Brighton. The Company has outgrown the existing space and proposes to lease an additional 11,000 square feet. The applicant seeks sales tax exemption on equipment and furnishings for the expanded space at a cost of \$200,000. Bio-Optronics currently employs 66 FTEs and expects to create 2 new FTEs over the next year. The Company has been approved for the GreatRebate program by the Monroe County Industrial Development Corporation. The benefit to incentive ratio is 7.8: 1.

The applicant was represented by Leah Kuehn. Upon inquiry from the Executive Director, the applicant confirmed the ownership of the project as disclosed on the application. Upon inquiry from the Chair, the applicant confirmed they are aware of the local labor policy.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE POWERED BY COMIDA TAKING OFFICIAL ACTION TO (i) APPOINT BIO-OPTRONICS, INC. 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 TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION AND INSTALLATION OF EQUIPMENT IN, ON OR AROUND THE FACILITY, AND (iii) EXECUTE AN AGENT AGREEMENT AND RELATED DOCUMENTS.

On motion for inducement and final resolution by J. Lusk, second by G. Collins, a roll call vote resulted as follows, and the motion carried:

Jay Popli	Absent
Anthony Meleo	Yea
Gary Collins	Yea
Troy Milne	Yea
Jared C. Lusk, Esq	Yea
Lisa Bolzner.	Yea
Ann L. Burr	Yea

Highland Grove

Lease/Leaseback with JobsPlus Abatement

Highland Grove, LLC (Highland Grove) proposes to construct a 100 unit residential building. The applicant purchased the property from the Department of Transportation in 2015 and has been accepted into the NYS Brownfield program. The building will consist of 100 residential units ranging from 570 to 1,108 sq. ft. (2 studio, 73 one bedroom, 21 two bedroom and 4 two bedroom loft style units). The project will have 20% of the units set aside for affordable housing. The applicant indicates rents will range from \$777-\$1,750 per month. The structure will also include roof top solar panels capable of producing 340 kWhs annually. This property is located in a low to moderate income census tract. Highland Grove is requesting approval for mortgage recording tax and sales tax exemptions as well as the JobsPlus property tax abatement. The project will create 4 FTE. The job requirement is 1 FTE. The benefit to incentive ratio is 2.1 : 1.

The applicant was represented by Don Riley, (Mark IV) and Steve DiMarzo, (Highland Grove). Upon inquiry from the Executive Director, the applicant confirmed the ownership of the project as disclosed on the application. Upon inquiry from the Chair, the applicant confirmed they are aware of the local labor policy.

Ms. Baranello discussed comments received at the public hearing.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE POWERED BY COMIDA TAKING OFFICIAL ACTION APPOINTING HIGHLAND GROVE LLC AS AGENT OF THE AGENCY FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING THE FACILITY, AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGENT AGREEMENT; AUTHORIZING THE ACQUISITION OF A LEASEHOLD INTEREST IN AND THE LEASING OF THE HIGHLAND GROVE LLC FACILITY AND THE EXECUTION OF RELATED DOCUMENTS AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE FACILITY.

On motion for inducement and final resolution by A. Meleo, second by L. Bolzner, a roll call vote resulted as follows, and the motion carried:

Jay Popli	Absent
Anthony Meleo	Yea
Gary Collins	Yea
Troy Milne	Yea
Jared C. Lusk, Esq	Abstain due to conflict of interest
Lisa Bolzner.	Yea
Ann L. Burr	Yea

RCC Brighton, LLC **Lease/Leaseback with JobsPlus Abatement**

RCC Brighton, LLC proposes to construct an 11,307 sq. ft. building on 1.683 acres in the Town of Brighton across the street from Shoppes at Lac De Ville. The building will house a Doodle Bugs! Children’s Learning Academy day care center and include an outdoor playground of approximately 19,000 sq. ft. The center will have a license by NYS for the capacity of 176 children ranging in ages from 6 weeks to 12 years old. The applicant is seeking approval of the JobsPlus property tax abatement, mortgage recording tax and sales tax exemptions. The tenant, DB-1925 South Clinton, LLC is requesting approval of sales tax exemption on \$375,000 of purchases for furniture and fixtures. The tenant expects to create 25 full time jobs and 20 part time jobs. The job creation requirement is 1. The Benefit/Incentive ratio is 2.9:1.

The applicant was represented by Shawn O’Donnell, (Doodlebugs) and Bill Durdle, (Baldwin Real Estate, a DiMarco Group Company). Upon inquiry from the Executive Director, the applicant confirmed the ownership of the project as disclosed on the application. Upon inquiry from the Chair, the applicant confirmed they are aware of the local labor policy.

Mr. Meleo asked how prices compare with competitors. Mr. O’Donnell responded that Doodlebugs is 5-10% higher than competitors.

Chair Burr asked Ms. Baranello to explain to the board the statute in regards to the approval of incentives for projects with retail classification and history of previous approved projects. Ms. Baranello stated other daycare locations have received financial assistance; however, all of the approvals pre-dated the retail prohibition that came under the operating statute in 2013. The statute states that IDAs cannot offer assistance to a “retail facility”, which is a facility that is primarily used in making retail sales to customers who personally visit the facility. With a daycare facility, 100% of customers would personally visit the facility. She also explained the three exceptions to the retail prohibition. Ms. Baranello noted that the project is not a tourism destination, nor is it in a “highly distressed area.” The only exception to consider is whether or not the project provides a good or service which would not, but for the project, be reasonably accessible to the residents of the host municipality. The Board was provided information about other daycare centers in Brighton that do have immediate availability.

Ms. Baranello discussed comments made at the public hearing stating there is immediate, open availability in their day care center in Brighton and that Doodlebugs does not serve the low-income community.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE POWERED BY COMIDA TAKING OFFICIAL ACTION APPOINTING RCC BRIGHTON, LLC AS AGENT OF THE AGENCY FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING AND EQUIPPING THE FACILITY, AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGENT AGREEMENT; AUTHORIZING THE

WBS Capital, Inc. **Lease/Leaseback with JobsPlus Abatement**

WBS Capital Inc. (WBS) a real estate investment company, proposes to purchase and redevelop the Kodak Hawkeye facility and nearby parcels on St. Paul St. in the City of Rochester. The Hawkeye facility, approximately 785,000 sq. ft. has been vacant since 2011. The project will be in 3 phases encompassing 14 parcels on 8.48 acres for an estimated cost of \$55.7 million. Phase 1 will rehab building 5, a 406,000 sq. ft. building at a cost of \$22.5 million. The first tenant, New Star FTZ Group, will lease approximately one quarter of the building and apply for the Federal designation as a Foreign Trade Zone. Phase 1 is projected to create 30 jobs. Later phases will include a training center, office building and affordable housing. The applicant is seeking approval for a JobsPlus property tax abatement and sales tax exemption for phase 1 and mortgage recording tax exemption on the purchase of all 14 parcels for all 3 phases of the project. The Hawkeye facility is under DEC clean-up agreements. The City of Rochester supports the project. The benefit to incentive ratio is 1.3 : 1.

The applicant was represented by Tianyi Du, (WBS Capital) and Rigo Li, (Consultant). Upon inquiry from the Executive Director, the applicant confirmed the ownership of the project as disclosed on the application. Upon inquiry from the Chair, the applicant confirmed they are aware of the local labor policy.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE POWERED BY COMIDA TAKING OFFICIAL ACTION APPOINTING WBS CAPITAL INC. AS AGENT OF THE AGENCY FOR THE PURPOSE OF ACQUIRING, RENOVATING AND EQUIPPING THE FACILITY, AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGENT AGREEMENT; AUTHORIZING THE ACQUISITION OF A LEASEHOLD INTEREST IN AND THE LEASING OF THE WBS CAPITAL INC. FACILITY AND THE EXECUTION OF RELATED DOCUMENTS AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE FACILITY.

On motion for inducement and final resolution by J. Lusk, second by T. Milne, a roll call vote resulted as follows, and the motion carried:

Jay Popli	Absent
Anthony Meleo	Yea
Gary Collins	Yea
Troy Milne	Yea
Jared C. Lusk, Esq	Yea
Lisa Bolzner.	Yea
Ann L. Burr	Yea

Buckingham Properties LLC **Lease/Leaseback with JobsPlus Abatement**

Buckingham Properties, LLC (Buckingham) proposes to renovate the Evelyn Brandon Health Center (EBHC) in the City of Rochester. The property is located in a distressed census tract, # 2. EBHC is part of the Rochester Regional Health System and provides intensive psychiatric rehabilitation treatment for those with serious and persistent illnesses and chemical dependency. Buckingham will modernize the 66,000 sq. ft. building which will include new windows and a high efficiency HVAC system as well as updating the building façade. The applicant is seeking mortgage recording tax and sales tax exemption only on the construction materials. The benefit to incentive ratio is 2 : 1.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE POWERED BY COMIDA TAKING OFFICIAL ACTION APPOINTING BUCKINGHAM PROPERTIES LLC AS AGENT OF THE AGENCY FOR THE PURPOSE OF ACQUIRING, RENOVATING AND EQUIPPING THE FACILITY, AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGENT AGREEMENT; AUTHORIZING THE

ACQUISITION OF A LEASEHOLD INTEREST IN AND THE LEASING OF THE BUCKINGHAM PROPERTIES LLC FACILITY AND THE EXECUTION OF RELATED DOCUMENTS AND MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE FACILITY.

On motion for inducement and final resolution by G. Collins, second by A. Meleo, a roll call vote resulted as follows, and the motion carried:

Jay Popli	Absent
Anthony Meleo	Yea
Gary Collins	Yea
Troy Milne	Yea
Jared C. Lusk, Esq	Yea
Lisa Bolzner.	Yea
Ann L. Burr	Yea

Executive Director Adair presented the following project modification for agency consideration:

American Packaging Corporation

American Packaging Corporation is a manufacturer of packaging for the food, beverage, medical, personal care and other specialty markets. In early 2017, the company selected Monroe County for a multi-phase expansion of the flexible packaging product line. At that time, Phase I of the \$48 million multi-phase project was approved. The applicant is seeking approval of Phase II at a cost of \$8.7 million. In February 2017 employment was 170 FTEs, at year end 2017 employment was 283 FTEs. The applicant is seeking approval of an increase in the property tax abatement, sales tax and mortgage recording exemptions.

Executive Director Adair presented the following resolution:

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MORNOEPOWERED BY COMIDA (THE "AGENCY") AUTHORIZING ADDITIONAL FINANCIAL ASSISTANCE TO AMERICAN PACKAGING CORPORATION ("THE COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS APPROVED BY THE AGENCY IN ITS RESOLUTION ADOPTED ON FEBRUARY 21, 2017.

On motion by G. Collins, second by L. Bolzner, the modification was put to a roll call vote which resulted as follows, and the motion carried:

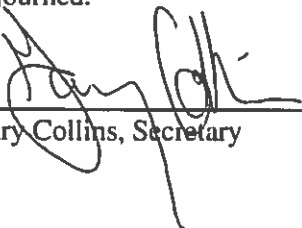
Jay Popli	Absent
Anthony Meleo	Yea
Gary Collins	Yea
Troy Milne	Yea
Jared C. Lusk, Esq	Abstain due to a conflict of interest
Lisa Bolzner.	Yea
Ann L. Burr	Yea

Mr. Adair asked the board to consider participating in two community initiatives, the NYSAC Fall Seminar and the Chloe Capital Women Investors and Entrepreneurs event. Upon motion by A. Meleo, seconded by T. Milne, the board approved a contribution amount not to exceed \$30,000 to host the NYSAC 2018 Fall Seminar. Upon motion by A. Meleo, seconded by L. Bolzner, the board approved a \$20,000 contribution to the Chloe Capital Women Investor and Entrepreneurs Event.

Mr. Adair introduced Gregg Genovese from the Bonadio Group who updated the board on the status of the financial services transition. After one month, staff is working with the Bonadio on putting processes in place and creating financial reports.

One member of the public signed up to speak before the Board. Joanne Sasse offered comments objecting to specific projects.

There being no further business, the regular meeting of the Board of Directors of Imagine Monroe was adjourned.



Gary Collins, Secretary