



MINUTES – AGENCY MEETING – March 21, 2017

Time & Place: 12:00 Noon, Ebenezer Watts Conference Center
49 S. Fitzhugh Street, Rochester, NY 14614

Board Present: A. Burr (Chair), P. Buckley, G. Collins, A. Meleo, J. Popli, M. Worboys-Turner

Board Excused: D. Kuntz

Also Present: J. Adair (Executive Director), M. Geise (ED Director), R. Baranello Endress, Esq.

Chair Burr called the meeting to order. Jay Popli led the Pledge of Allegiance.

On motion made by P. Buckley and seconded by J. Popli minutes for the meeting of February 21, 2017 were reviewed, adopted and approved. All Aye.

Kevin Loewke, a member of Loewke Brill Consulting Group, Inc., presented the 2016 Monitoring Report. During 2016, there were 895 site visits, with 44 follow-up visits. Of the 7,006 workers, 131 were noncompliant. As of December 31, 2016 all monitored sites were in compliance. The average compliance on initial site visits was 99%. Mr. Loewke presented the report for the period of February 1, 2017 – February 28, 2017. During that time, 64 monthly and 3 follow up visits were conducted. Of the 430 workers that were identified, 11 were noncompliant on the initial visit. As of February 28, 2017, all monitored sites were compliant. Loewke Brill delivered 1 sign to a new project.

Jeffrey Adair, Executive Director, presented the following applications for agency consideration:

Charlotte Square Homes LLC JobsPlus Property Tax Abatement

Charlotte Square Homes LLC (a subsidiary of Home Leasing LLC) was represented by Kimberly Russell, also present was Baye M. Muhammad. Charlotte Square Homes, a developer and manager of residential communities, intends to develop, market and construct 10 – 2 story townhomes for sale on an approximately ¾ acre parcel at the southeast corner of Pitkin and Charlotte Streets in the Center City District of the City of Rochester. This \$3.6 Million project is Phase II of the development, which emanated from a City of Rochester RFP for development of the Charlotte Street block. This project is being supported by the City through their Core Housing Owner Incentive Exemption (CHOICE) Program. Phase I included construction of 72 rental apartment units and 14 townhomes. The completed project will result in a range of consumer options for downtown living. Home Leasing’s management division will manage the properties. The applicant is seeking a standard property tax exemption for the project, as well as sales tax exemptions on eligible purchases. The Benefit/Incentive ratio is 3.1:1. A Public Hearing was held in the City of Rochester on March 21, 2017. A SEQR has been reviewed and process is complete. Upon inquiry by the Chair, the applicant representative confirmed that they are aware of the Local Labor requirements. After a brief discussion and on a motion made by P. Buckley and seconded by M. Worboys-Turner, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by J. Popli and seconded by M. Worboys-Turner, an inducement resolution and final resolution for exemption from sales tax, as well as approval of PILOT Agreement, was adopted approving the subject project. All Aye.

At this time, one speaker offered comments on the following project.

Erie Station 250, LLC JobsPlus Property Tax Abatement

Erie Station 250 LLC (ES250) was represented by Gary Izzo. Erie Station 250 LLC, a Henrietta-based development company, is proposing to build an 11,292 square feet addition onto their existing facility in the Town of Henrietta to accommodate their tenant, eHealth Technologies (eHealth). eHealth, founded in Rochester in 2006, continues to experience growth as they established themselves as a leader in retrieving and delivering clinically relevant, organized out-of-network patient records, and sharing medical images for immediate access across the patient care community. As a result of their success, eHealth requires additional space for their increased employment. The project is projected to create 84 new FTEs over the next three years. The applicant is seeking sales and mortgage tax exemptions, and

property tax exemptions on the increased assessment resulting from their \$1.9 Million investment. eHealth will invest \$310,000, and is seeking approval of sales tax exemptions on furniture, fixtures & equipment. The Benefit/Incentive ratio is 21.6:1. A Public Hearing was held in the Town of Henrietta on March 21, 2017. A SEQR has been reviewed and process is complete. Upon inquiry by the Chair, the applicant representative confirmed that they are aware of the Local Labor requirements. After a brief discussion and on a motion made by A. Meleo and seconded by G. Collins, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by P. Buckley and seconded by G. Collins, an inducement resolution and final resolution for exemption from sales and mortgage recording tax, as well as approval of PILOT Agreement, was adopted approving the subject project. All Aye.

Capricorn Ventures LLC

JobsPlus Property Tax Abatement

Capricorn Ventures was represented by Kevin Adair. Capricorn Ventures is proposing to construct a building addition and equip the space for its tenant, Rochester Arc & Flame Center, LLC (Arc & Flame). Arc & Flame is a welding-related training business founded in 2011 with the assistance of COMIDA, who provided incentives to construct a new building and purchase required equipment. The business has complied with all of COMIDA requirements since opening, and has grown substantially thereby resulting in the need for more space and equipment to accommodate current and future student needs. Arc & Flame provides an essential service to the community by partnering with MCC and RIT to train welders to fill vacant positions in the business community. These partnerships have resulted in more than 300 graduates being placed in the local workforce. Capricorn Ventures is proposing a \$405,680 building expansion at its current location in the City of Rochester, while Arc & Flame (the tenant) is proposing to invest another \$99,500 in materials, labor, equipment, furniture and fixtures. This \$505,360 project will create 2 new jobs. The applicant is seeking approval of property tax abatement, as well as Mortgage and Sales Tax Exemptions. Arc & Flame, the tenant, is seeking a sales tax exemption. The Benefit/Incentive ratio is 13.6:1. A SEQR has been reviewed and process is complete. Upon inquiry by the Chair, the applicant representative confirmed that they are aware of the Local Labor requirements. After a brief discussion and on a motion made by M. Worboys-Turner and seconded by G. Collins, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by J. Popli and seconded by M. Worboys-Turner, an inducement resolution and final resolution for exemption from sales and mortgage recording tax, as well as approval of PILOT Agreement, was adopted approving the subject project. All Aye.

TDG Corp. d/b/a Sirness Vending Services

EquiPlus Sales Tax Exemption Only

TDG Corp. d/b/a Sirness Vending Services (Sirness) was represented by Tom Broch. Sirness is a vending and micro-market food service operation located in Gates, NY. Sirness Vending has been supplying and stocking vending machines in the Rochester area since 1977. Sirness, who is one of Western New York's largest and most experienced locally owned office coffee and vending services companies, services more than 500 firms in Western, NY. Modern technology allows them to be notified when products are depleted or obsolete, so they can provide just-in-time service to their customers. As a result, the company is in the process of converting its fleet of trucks over to smaller, more efficient vehicles. Initially, Sirness will be purchasing two (2) Dodge Promaster 3500 vans, and plan to eventually replace their entire fleet. The \$110,985 project will create at least 2 FTEs, and will allow the business to continue to expand and become more efficient. Sirness is seeking a Sales Tax Exemption. The Benefit/Incentive ratio is 16:1. After a brief discussion and on a motion made by P. Buckley and seconded by J. Popli, an inducement and final resolution was adopted approving subject project. G. Collins abstained – All others Aye.

Executive Director Adair reviewed the Annual Report.

On motion made by J. Popli and seconded by P. Buckley, a resolution was adopted approving the following officer nominations: Ann Burr – Chair, Jay Popli – Vice Chair, Peter Buckley – Treasurer, Mary Worboys-Turner – Secretary. Re-Adopted the Audit Committee Charter (Ann Burr – Chair, Peter Buckley, Gary Collins, Mary Worboys-Turner, Anthony Meleo); Re-Adopted the Finance Committee Charter (Peter Buckley – Chair, Ann Burr – Vice Chair, Jay Popli, Mary Worboys-Turner, Anthony Meleo); Re-Adopted the Governance Committee Charter (Jay Popli – Chair, Gary Collins, Anthony Meleo, Mary Worboys-Turner) and Re-Adopted the PILOT Compliance Review Policy (Ann Burr – Chair, Peter Buckley, Gary Collins, Jay Popli). All Aye.

Audit Committee Chair A. Burr reported that the Audit Committee met on March 8, 2017 and reviewed the Audit Committee Charter, Audit Policies Internal Controls, Financial Accountability Charter and Whistle Blower Policy. Randy Shepard, who represented The Bonadio Group, reviewed the COMIDA audit, noting that it was a clean audit, with no new accounting policies adopted during the year. There were no particularly sensitive estimates or disclosures in the current year and no financial difficulties encountered in performing the audit or disagreements with management. After a brief discussion, on a motion made by A. Meleo and seconded by G. Collins, the 2016 Audit was accepted. All Aye.

P. Buckley reported that the Finance Committee met on March 8, 2017 and reviewed the Finance Committee Charter, Disposal of Assets Policy, where a change was recommended in Section 2 to state that the Executive Director is the

Agency's Contracting Officer. The committee reviewed the Investment and Deposit Policy and Purchasing Policy, where a change was recommended by Harris Beach to increase the total cost requiring a proposal process from \$15,000 to \$20,000 to mirror the County policy. After a brief discussion, on a motion made by P. Buckley and seconded by J. Popli, the findings of the committee were accepted. All Aye.

Governance Committee Chair Jay Popli reported that the Governance Committee met on March 8, 2017 and reviewed the Governance Committee Charter. The committee also reviewed the Mission Statement and Measurement report with the recommended revisions. The Bylaws were reviewed and revised based on the Public Authorities Accountability Act (PAAA) and the County Law Department standards. J. Popli noted that the Board Evaluations were conducted and summarized, and the board was in agreement with regard to governance and independence, with no recommended changes. The remaining COMIDA policies were reviewed and the committee recommended appointing Mary Worboys-Turner as the Ethics Officer. On a motion made by J. Popli and seconded by G. Collins, the findings of the committee and the revised Mission Statement and Measurement Report with minor changes were approved.

Chair Burr opened the Public Forum. One speaker offered comments. There being no further speakers, the Public Forum was closed.

There being no further business the meeting was adjourned by Chair Burr.