

MINUTES – AGENCY MEETING – April 15, 2014

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

Board Present: T. Mazzullo (Chair), A. Burr, E. Caccamise, C. Campbell,
J. Popli

Board Excused: S. Moore

Also Present: J. Seil (Executive Director), R. Yolevich (Monroe County Legislature),
E. Liberti, M. Townsend, Esq.

Chair Mazzullo called the meeting to order. J. Popli led the Pledge of Allegiance.

Chair Mazzullo opened the Public Forum. Joanne Sasse offered comments regarding the Executive Director of COMIDA. County Executive Maggie Brooks offered comments in support of the COMIDA board and requested that the board pass a resolution rescinding the payment-in-lieu-of-taxes agreement with the Medley Centre in Irondequoit if the developer fails to meet a May 1 deadline to settle overdue bills, and a second resolution authorizing COMIDA to join with the county law department in legal action against the developer. There being no further speakers, the Public Forum was closed.

Mike Loewke of Loewke Brill Consulting Group, Inc. presented the Monitoring Report for the period of March 1, 2014 – March 31, 2014. During that time, 44 monthly and 4 follow up visits were conducted. Of the 333 workers that were identified, six were noncompliant on the initial visit. As of March 31, 2014 all monitored sites were compliant. Loewke & Brill delivered signs to 2 new projects.

J. Seil presented the following applications for agency consideration:

Koziar Henrietta LLC/ Horizon Solutions Lease/Leaseback with JobsPlus

The company was represented by Tom Matisse & Robert Bacon. Koziar Henrietta LLC is proposing construction of a 33,375 square foot building on 8.9 acres in the Town of Henrietta. The building will be leased to a related entity, Horizon Solutions LLC (HS), a privately held, value-add electrical/industrial distributor. HS, founded in Rochester in 1857 as the Sidney B Roby Company, is headquartered in Rochester with branches in Albany and Elmira, Massachusetts, Maine and New Hampshire. The \$4,250,000 project will impact 70 FTEs and is projected to create 9 new FTEs over the next three years. The applicant is seeking approval of the JobsPlus abatement program. The job creation requirement is 7 FTEs. HS is seeking sales tax exemption on equipment furniture and fixtures. A Public Hearing was held in the Town of Henrietta on April 15, 2014. Upon inquiry by the Chair, the applicant representatives confirmed that they are aware of the Local Labor requirements. After a brief discussion and on a motion made by A. Burr and seconded by J. Popli, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by E. Caccamise and seconded by C. Campbell, an inducement resolution was adopted approving subject project. All Aye.

Gallina Development Corporation/Cosentino North America Lease/Leaseback with JobsPlus

The company was represented by Kurt Sertl. Gallina Development Corporation, a local real estate development company, is proposing to build a 25,000 square foot commercial building on 3.22 acres in the Town of Gates. The building will be leased by C&C North America Inc. dba Cosentino North America and used as a showroom and distribution center for solid surface materials including natural stone, quartz and recycled surfaces. The \$2,895,000 project is projected to create 10 new FTEs over the next three years. The applicant is seeking approval of the JobsPlus abatement program. The job creation requirement is 1 FTE. Cosentino is seeking sales tax exemption on build out costs, equipment, furniture and fixtures. A Public Hearing was held in the Town of Gates on April 14, 2014. 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 C. Campbell and seconded by A. Burr, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by C. Campbell and seconded by E. Caccamise, an inducement resolution was adopted approving subject project. All Aye.

929 Holt Road LLC /Fitness International LLC Sales & Mortgage Tax Exemptions Only

The company was represented by Steven Hall. 929 Holt Road LLC, a local real estate development company, is proposing the construction of a 35,000 square foot fitness center on approximately 7 acres in the Town of Webster. The property will be leased to Fitness International LLC which operates as LA Fitness. The \$10,361,054 project is projected to create 24 new FTEs over the next three years. The applicant is seeking approval of sales and mortgage tax exemptions only. The tenant is seeking sales tax exemptions on equipment purchases. A Public Hearing was held in the Town of Webster on April 14, 2014. 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 C. Campbell and seconded by E. Caccamise, a resolution was adopted approving SEQR for the subject property. All Aye. On a motion made by J. Popli and seconded by A. Burr, an inducement resolution was adopted approving subject project. All Aye.

On motion made by E. Caccamise and seconded by A. Burr, minutes for the meeting of March 18, 2014 were reviewed and adopted and approved. All Aye.

Chair Mazzullo asked E. Caccamise to present his request to modify the Local Labor Verified Exemption Policy. E. Caccamise proposed that where there is a significant cost differential (25% or greater), that if the local labor contractor agrees to reduce his bid to the average of the two bids, no waiver will be granted. On a motion made by E. Caccamise and seconded by J. Popli, the Local Labor Verified Exemption Policy was amended. All Aye.

M. Townsend, Board Counsel, presented the following items for Agency Action:

Medley Centre:

On a motion made by E. Caccamise and seconded by A. Burr, a resolution was adopted authorizing the rescission of the payment-in-lieu-of-taxes agreement with the Medley Centre in Irondequoit should the developer fail to meet a May 1, 2014 deadline to settle overdue bills and/or make any and all payments due under the PILOT. All Aye.

On a motion made by A. Burr and seconded by J. Popli, a resolution authorizing COMIDA to join with the Monroe County law department in legal action against the developer of Medley Centre was approved. All Aye.

Terminations:

- Cassara Properties LLC
- Vesta Partners LLC
- Cucinelli Family LLC
- 1241 PVR LLC
- 98 Halstead LLC

On a motion made by A. Burr and seconded by E. Caccamise, a resolution was adopted approving the termination of the above named projects. All Aye.

Miscellaneous:

-eBaums

On a motion made by J. Popli and seconded by C. Campbell, a resolution was adopted approving the commencement of legal action to collect unpaid PILOT payments. All Aye.

-Mapco

On a motion made by E. Caccamise and seconded by J. Popli, a resolution was adopted ratifying a mortgage tax exemption for the above named project. All Aye.

-Riverview Equity 1, LLC

On a motion made by J. Popli and seconded by E. Caccamise, a resolution was adopted extending the term of the PILOT for five additional years to June 30, 2024 for the above named project. All Aye

There being no further business, on a motion made by A. Burr and seconded by J. Popli, the meeting was adjourned.