



**BOARD MEETING MINTUES**  
**May 21, 2019**

**Time & Place:** 12:00 p.m., Irondequoit Town Hall, 1280 Titus Ave, Rochester, NY 14617  
**Board Present:** L. Bolzner, G. Collins, J. Lusk, T. Milne, J. Popli  
**Board Absent:** A. Burr, A. Meleo  
**Also Present:** J. Adair (Executive Director), R. Baranello, Esq. (Harris Beach PLLC),  
K. Loewke (Loewke Brill), B. Lafountain (Bonadio Group), J. Kase (Ingenuity Partners)

Vice Chair Popli called the meeting to order at 12:00 p.m. and the board recited the Pledge of Allegiance.

On motion by G. Collins, second by T. Milne, all aye, the minutes of the April 16, 2019 meeting were approved.

K. Loewke presented the local labor report for April 2019.

B. Lafountain reported on the local labor verified exemptions that were recently approved.

Executive Director Adair presented the financial report, year to date.

Executive Director Adair presented the following projects for consideration:

**390 East CBM, LLC**

390 East CBM LLC, (390 East) a real estate holding company, proposes the redevelopment of the current East Ave Inn which was constructed in 1957, at the corner of East Ave. and Alexander St. The proposed project will be to construct a 125 room Marriott Courtyard on 2.47 acres in the City of Rochester. The project will include 2,000 sq. ft. of meeting rooms, a business center, a restaurant area, as well as other amenities. Underground and surface parking areas will be available for approximately 160 cars. The project qualifies as it is in/contiguous to a distressed census tract. There is a PILOT on the property which will be terminated. The applicant is seeking approval of sale tax and mortgage recording tax exemption and a JobsPlus PILOT. The project will impact 18 FTEs and create an additional 18 FTEs. The benefit to incentive ratio is 2.1:1.

The applicant was represented by Jim Taylor. The applicant confirmed awareness of the local labor policy and that exemptions need to be requested 45 days in advance.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE POWERED BY COMIDA (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON APRIL 15, 2019, WITH RESPECT TO THE 390 EAST CBM, LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (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) 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 AN AGENT, FINANCIAL ASSISTANCE AND PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by L. Bolzner, second by T. Milne, a roll call vote resulted as follows and the motion carried:

L. Bolzner	Yea	A. Meleo	Absent
A. Burr	Absent	T. Milne	Yea
G. Collins	Yea	J. Popli	Yea
J. Lusk	Yea		

### **1050 John Street**

1050 John Street LLC, a real estate holding company, proposes to construct a 30,000 square foot facility on 3.9 acres in the Town of Henrietta. The building will be the new Rochester office location for Viavi Solutions Inc. (Viavi). In October 2018, Viavi acquired RPC Photonics (RPC). Viavi produces high performance thin film optical coatings. The RPC Division manufactures optical components used for 3D sensing and other related applications. Viavi has a growth opportunity with RPC's proprietary solutions. The applicant is seeking approval of JobsPlus property tax abatement, sales and mortgage recording tax exemption on construction of the new building totaling \$4,550,000. Viavi Solutions Inc. as the tenant, seeks sales tax exemption on purchases of construction materials for a clean room, furniture, fixtures and equipment totaling \$3,050,000. The total project cost is \$7,850,000. The job creation requirement is 5 FTE over the next three years. The benefit to incentive ratio is 1.8:1.

The applicant was represented by Rich Lefrois and Mike Morris. The applicant confirmed awareness of the local labor policy and that exemptions need to be requested 45 days in advance.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE POWERED BY COMIDA (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON MAY 14, 2019, WITH RESPECT TO THE 1050 JOHN STREET LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (iii) APPOINTING THE COMPANY AND THE TENANT AS AGENTS OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY AND THE TENANT 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) 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 AGENT, FINANCIAL ASSISTANCE AND PROJECT AGREEMENTS, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

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

L. Bolzner	Yea	A. Meleo	Absent
A. Burr	Absent	T. Milne	Yea
G. Collins	Yea	J. Popli	Yea
J. Lusk	Yea		

**Van Hook Service Co., Inc.**

Van Hook Service Co., Inc. (VH), founded in 1973, provides industrial, commercial and public sector refrigeration and air conditioning services. VH is proposing to purchase up to eight fleet vehicles, cargo vans equipped for technicians at work sites. VH currently employs 83 FTEs and expects to create 4 new full-time positions, over the next year, to meet demand. VH has been approved for the GreatRate program through Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program for purchases of \$286,453. The Benefit/Incentive ratio is 7.2:1.

The applicant was represented by Mike Van Hook.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE POWERED BY COMIDA TAKING OFFICIAL ACTION TO (i) APPOINT VAN HOOK SERVICE CO., INC. (THE "COMPANY") 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 THE PURCHASE OF SERVICE VEHICLES; AND (iii) EXECUTE AN AGENT AGREEMENT AND RELATED DOCUMENTS.

On motion by J. Lusk, second by L. Bolzner, a roll call vote resulted as follows and the motion carried:

L. Bolzner	Yea	A. Meleo	Absent
A. Burr	Absent	T. Milne	Yea
G. Collins	Yea	J. Popli	Yea
J. Lusk	Yea		

**Empire Medicinals, Inc. d/b/a Leep Foods**

Empire Medicinals, Inc. d/b/a Leep Foods (Leep Foods), founded in 2015, provides high-quality, organic, sustainable mushrooms via wholesale contracts. Leep Foods is leasing additional production space from Genesee Valley Regional Market Authority in the Town of Chili. The company is proposing to purchase a humidification system, specialized HVAC, boiler, racking, tipper truck, and a hoop house to meet current demand. Leep Foods currently employs 2.5 FTEs and expects to create 2 new full-time positions over the next year. Leep Foods has been approved for the GreatRebate program through the Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program on purchases of \$89,984. The Benefit/Incentive ratio is 19.6:1.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE POWERED BY COMIDA TAKING OFFICIAL ACTION TO (i) APPOINT EMPIRE MEDICINALS, INC. D/B/A LEEP FOODS (THE "COMPANY") 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 INSTALLTION OF EQUIPMENT IN, ON OR AROUND THE FACILITY; AND (iii) EXECUTE AN AGENT AGREEMENT AND RELATED DOCUMENTS.

On motion by T. Milne, second by L. Bolzner, a roll call vote resulted as follows and the motion carried:

L. Bolzner	Yea	A. Meleo	Absent
A. Burr	Absent	T. Milne	Yea
G. Collins	Yea	J. Popli	Yea
J. Lusk	Yea		

**Security Risk Advisors**

Security Risk Advisors (SRA) based in Philadelphia, PA provides customized cybersecurity solutions to Fortune 1,000 companies globally. SRA performs threat assessments, and creates customized security with 24/7/365 monitoring of cyber activity with interactive offensive and defensive systems. SRA considered various states for a second location, ultimately selecting Monroe County. SRA has been approved for the GreatRebate program through Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program on equipment and furniture purchases of \$100,000. The job requirement is 2, this phase of the project may create as many as 10 jobs. The Benefit/Incentive ratio is 18.4 :1.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE POWERED BY COMIDA TAKING OFFICIAL ACTION TO (i) APPOINT SECURITY RISK ADVISORS, 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 by G. Collins, second by J. Lusk, a roll call vote resulted as follows and the motion carried:

L. Bolzner	Yea	A. Meleo	Absent
A. Burr	Absent	T. Milne	Yea
G. Collins	Yea	J. Popli	Yea
J. Lusk	Yea		

Executive Director Adair presented the following project modification for consideration:

**Paychex Inc. and Subsidiaries - Increase**

Paychex, Inc and Subsidiaries (Paychex) founded in 1971 is a provider of payroll, human resource, retirement, insurance and employee benefits to businesses of all sizes throughout the US, Germany and Brazil. In September 2017, Paychex entered into an agreement to purchase, renovate and equip properties in the Town of Henrietta for expansion of Monroe County operations. The project impacted 769 FTEs and is projected to create 375 new FTEs over the next three years. The applicant received approval of a 20 year property tax abatement and sales tax exemption. Last month, Paychex received approval for a \$3 million increase in project costs and associated sales tax exemption due to unanticipated costs. This increase reflects the cost of furniture that was not budgeted in the original application. The total project cost is now \$56.8 million. The revised benefit/Incentive ratio is 3.7:1.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE POWERED BY COMIDA (THE "AGENCY") AUTHORIZING ADDITIONAL FINANCIAL ASSISTANCE TO PAYCHEX OF NEW YORK, L.L.C. (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS APPROVED BY THE AGENCY IN ITS RESOLUTIONS ADOPTED ON SEPTEMBER 19, 2017 AND APRIL 16, 2019.

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

L. Bolzner	Yea	A. Meleo	Absent
A. Burr	Absent	T. Milne	Yea
G. Collins	Yea	J. Popli	Yea
J. Lusk	Abstain		

Governance Committee Chair J. Popli reported that the committee met on May 15<sup>th</sup> and reviewed the 5 proposals that were received from the CRM Software Development and Implementation RFP. The Committee recommends the board accept the proposal from Executive Pulse. Upon motion by J. Lusk, second by L. Bolzner, a roll call vote resulted as follows and the board accepted the proposal from Executive Pulse and authorized the Executive Director to take all actions necessary to implement Executive Pulse with expenses related thereto not to exceed \$35,000:


L. Bolzner	Yea	A. Meleo	Absent
A. Burr	Absent	T. Milne	Yea
G. Collins	Yea	J. Popli	Yea
J. Lusk	Yea		

Ms. Baranello updated the board on the LadderZup program and noted that the State of the County will be given on May 30th.

Ms. Kase stated that the Thriving: Women Leaders Connect & Learn, an upbeat, inspiring and wisdom-filled afternoon with women business owners and experts event held during Small Business Week was a success.

No members of the public spoke before the board.

There being no further business and on motion by J. Lusk, second by L. Bolzner, all aye, the regular meeting of the Board of Directors of Imagine Monroe was adjourned at 12:45.

  
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A Burr, Chair