

MINUTES – AGENCY MEETING – June 18, 2013

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,
R. Gerbracht, S. Moore, J. Popli

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

Chair Mazzullo called the meeting to order. A. Burr led the Pledge of Allegiance.

Chair Mazzullo opened the Public Forum. There being no speakers, the Public Forum was closed.

Mike Loewke of Loewke Brill Consulting Group, Inc. presented the Monitoring Report for the period of May 1, 2013 – May 31, 2013. During that time, 87 monthly visits were conducted. Of the 355 workers that were identified, none were noncompliant on the initial visit. As of May 31, 2013 all monitored sites were compliant. Loewke & Brill delivered signs to 5 new projects.

Chair Mazzullo welcomed new Board Member Jay Popli.

A report on the Requests for Verified Exemptions was presented by Brian LaFountain of The Bonadio Group. During the last month, The Bonadio Group has received one request for exemption from the local labor requirements for the Temple Building project, under the criteria “no local labor available”. Mr. LaFountain reported that upon review, the Bonadio Group found the request valid.

J. Seil presented the following applications for agency consideration:

Elizabeth Wende Breast Care LLC (EquiPlus)

The company was represented by Annette Wiebeld. Elizabeth Wende Breast Care LLC, (EWBC) founded in 1975, specializes in breast imaging and breast cancer diagnosis. EWBC is proposing to invest approximately \$110,000 in equipment to be used at their 32,500 square foot facility in the Town of Brighton. EWBC currently employs 128 FTEs and expects to create 2 new full-time positions. EWBC has been approved for the GreatRate program through Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program. After a brief discussion and on a motion made by E. Caccamise and seconded by A. Burr, an inducement resolution was adopted approving subject project. All Aye.

The company was represented by Roxanne Baker. Coast Professional Inc. (CP) is a full service third party collection agency for student loan receivables. Due to continued growth of the business, CP is proposing to lease 10,000 square feet at 50 Methodist Hill in the Town of Henrietta. CP will be investing \$772,000 in equipment including servers, computer hardware and software, licensure, telephony and other furniture and equipment. CP expects to create 103 new full-time positions. Company has been approved for the GreatRebate program through Monroe County Industrial Development Corporation and is seeking approval of the EquiPlus program. After a brief discussion and on a motion made by A. Burr and seconded by S. Moore, an inducement resolution was adopted approving subject project. All Aye.

On motion made by E. Caccamise and seconded by R. Gerbracht, minutes for the meeting of May 21, 2013 were reviewed and adopted and approved. All Aye.

Chair Mazzullo presented the PILOT Compliance Committee Report. After a brief discussion and on a motion made by A. Burr and seconded by J. Popli, a resolution was adopted approving a waiver through December 31, 2013 for four projects and termination with clawback for one project. All Aye.

On a motion made by A. Burr and seconded by R. Gerbracht, J. Popli was appointed to the Pilot Compliance Review committee to fill a vacancy.

Executive Director noted that the PILOT Compliance Review documentation has been updated based on recommendations contained in the Compliance Risk Assessment conducted in November 2012 by BST Advisors. Executive Director Seil noted that the COMIDA website, www.growmonroe.org has been updated, as well as the Application for Assistance.

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

Miscellaneous:

-Eastman Kodak/231 State Street

On a motion made by E. Caccamise and seconded by R. Gerbracht, a resolution was adopted approving release of a portion of 231 State Street to Eastman Kodak Company. All Aye.

- Tracy Street Realty

On a motion made by A. Burr and seconded by J. Popli, a resolution was adopted approving benefits on \$1,100,000 increase in project costs to \$18,100,000. All Aye.

-Payment - Sales tax litigation fees

On a motion made by R. Gerbracht and seconded by S. Moore, a resolution was adopted authorizing \$100,000 payment to Harris Beach PLLC for fees related to sales tax litigation. A. Burr abstained. All others Aye.

- Schroeder Family RE LLC/Lake Beverage

On a motion made by J. Popli and seconded by R. Gerbracht, a resolution was adopted approving benefits on \$600,000 increase in project costs to \$3,274,903. All Aye.

- Tech Park Owner

On a motion made by R. Gerbracht and seconded by E. Caccamise, a resolution was adopted approving a mortgage of up to \$10,000,000. S. Moore abstained. All others Aye.

- Gallina/10 South Pointe Landing LLC

On a motion made by E. Caccamise and seconded by A. Burr, a resolution was adopted approving mortgage tax exemption on a new \$3,650,000 mortgage. All Aye.

- RW 501 Associates LLC

On a motion made by A. Burr and seconded by R. Gerbracht, a resolution was adopted approving a \$405,000 consolidation mortgage. All Aye.

- Holt Road Investors

On a motion made by S. Moore and seconded by J. Popli, a resolution was adopted approving assignment and assumption of agreements by new owners. All Aye.

- Legal Services

On a motion made by A. Burr and seconded by J. Popli, a resolution was adopted authorizing COMIDA to engage the legal services of Gates & Adams with regard to DiMarzo Standby PILOT litigation initiated by the Town of Brighton. All Aye.

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