



MINUTES – AGENCY ANNUAL MEETING – JULY 18, 2006

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

Board Present: T. Mazzullo (Chairperson), R. Hurlbut, H. Stuart, S. Moore, L. Doyle,
D. Conte

Also Present: J. Seil (Acting Executive Director), E. Liberti, W. Zyra (President Monroe
County Legislature), K. Pink (Bonadio Group)

Chair Mazzullo called the meeting to order. D. Conte led the Pledge of Allegiance. The Public Forum was opened. There being no speakers, the Public Forum was closed.

Chair Mazzullo acknowledged and congratulated Judy Seil, for being named Acting Director of Planning and Development, announced by County Executive Maggie Brooks.

J. Seil presented the following applications for agency consideration:

Hughes Associates, LLC/SPS Medical Supply Corp. (Lease/leaseback)

The company was represented by Nancy Hughes. Hughes Associates proposes to construct a 20,000 square foot addition to its current 20,000 square foot facility located in the Town of Henrietta. The property is leased to a related entity, SPS Medical Supply Corp., a manufacturer of sterilization monitoring, packaging and record keeping products and the largest sterilizer testing laboratory in North America. The \$3 million project is expected to result in the creation of 5 new FTE within 5 years. The applicant is seeking approval of JobsPlus. The JobsPlus job creation requirement is 5 FTE. Chair Mazzullo confirmed with Ms. Hughes the Local Labor requirements. After a brief discussion and on motion made by L. Doyle and seconded by R. Hurlbut, an inducement and final resolution was adopted approving subject project. All Aye. Also, on motion made by H. Stuart and seconded by R. Hurlbut, a resolution was adopted approving SEQR for the subject property. All Aye. Public Hearing was held July 17, 2006 in the Town of Henrietta.

Schroeder Family Real Estate, LLC (Lease/leaseback)

The company was represented by Bernard Schroeder. Lake Beverage Corp. (LBC) is a wholesale beverage distributor. LBC will be expanding their existing 70,000 square foot facility, with an additional 24,000 square feet of warehouse space. The total project cost is \$870,050 and will result in the creation of 3 new FTE. The company seeks approval of JobsPlus based on the use of 100% local labor and suppliers to construct the project. The Jobs Plus job creation requirement is 3 FTE. The facility construction was a COMIDA project in 1990. Chair Mazzullo confirmed with Mr. Schroeder the Local Labor requirements. After a brief discussion and on motion made by H. Stuart and seconded by R. Hurlbut, an inducement resolution was adopted approving subject project up to \$100,000. All Aye. Also, on motion made by R. Hurlbut and seconded by H. Stuart, a resolution was adopted approving SEQR for subject property. All Aye.

TBN Realty LLC (Lease/leaseback)

The company was represented by Tom Nesser. TBN Realty LLC proposes to acquire and complete construction of an existing 26,000 square foot facility in the Town of Gates. The facility will be leased to Sirness Vending Services, a related party. Sirness is a leading provider of vending service in Monroe County and the surrounding area. The \$1.9 million project is expected to assist in the creation of 6 new FTEs within 5 years. The applicant is seeking approval of JobsPlus based on the use of 100% local labor and suppliers for the construction of the project. The JobsPlus job creation requirement is 2 FTEs. Chair Mazzullo confirmed with Mr. Nesser the Local Labor requirements. After a brief discussion and on motion made by L. Doyle and seconded by R. Hurlbut, an inducement resolution was adopted approving subject project up to \$100,000. All Aye. Also, on motion made by R. Hurlbut and seconded by H. Stuart, a resolution was adopted approving SEQR for subject property. All Aye.

HMPBC Hospitality Group LLC (Lease/leaseback)

The company was represented by Gary Price. The applicant is proposing to construct an 87,000 square foot Hilton Garden Inn at 777 Panorama Trail in the Town of Penfield. The hotel will have 150 guest rooms with a full service restaurant, meeting rooms, exercise room and indoor pool. The hotel will be located on a 5.6 acre parcel. The total project cost is \$24 million. The hotel will employ 35 FTE. The company seeks approval of JobsPlus based on the local labor and suppliers rule. The project qualifies as a tourist destination. Chair Mazzullo confirmed with Mr. Price the Local Labor requirements. After a brief discussion and on motion made by H. Stuart and seconded by R. Hurlbut, an inducement and final resolution was adopted approving subject project. All Aye. Also, on motion made by R. Hurlbut and seconded by L. Doyle, a resolution was adopted approving SEQR for subject property. All Aye. Public Hearing was held 7/18/2006 in the Town of Penfield.

Legacy at Erie Station, LLC (Lease/leaseback)

The company was represented by Tim Poley. The applicant proposes to build a for-profit independent senior residential community on 20 acres of land in the Town of Henrietta. All residents will have an integrated services package as part of their monthly service fee that will include meals, transportation, laundry services, housekeeping, recreation and security. This portion of the project consists of 96 senior apartments. The \$12,650,000 project will target middle-income seniors. The project will impact 2 FTEs and result in the creation of 33 FTEs within 5 years of project completion. The applicant is seeking approval of the JobsPlus incentive based on the use of 100% local labor and supplier rule for the construction of the facility. The JobsPlus job creation

requirement is 1 FTE. Aye. Chair Mazzullo confirmed with Mr. Poley the Local Labor requirements. After a brief discussion and on motion made by D. Conte and seconded by R. Hurlbut, an inducement resolution was adopted approving subject project up to \$100,000. All Aye. Also, on motion made by H. Stuart and seconded by R. Hurlbut, a resolution was adopted approving SEQR for subject property. All Aye.

Legacy at Erie Townhomes, LLC (Lease/leaseback)

The company was represented by Tim Poley. The applicant proposes to build a for-profit independent senior residential community on 20 acres of land in the Town of Henrietta. All residents will have an integrated services package as part of their monthly service fee that will include meals, transportation, laundry services, housekeeping, recreation and security. This portion of the project consists of 38 townhome villas. The \$5,600,000 project will target middle-income seniors. The project will impact 1 FTE and result in the creation of 5 FTEs within 5 years of project completion. The applicant is seeking approval of the JobsPlus incentive based on the use of 100% local labor and supplier rule for the construction of the facility. The JobsPlus job creation requirement is 1 FTE. Chair Mazzullo confirmed with Mr. Poley the Local Labor requirements. After a brief discussion and on motion made by D. Conte and seconded by R. Hurlbut, an inducement resolution was adopted approving subject project up to \$100,000. All Aye. Also, on motion made by H. Stuart and seconded by R. Hurlbut, a resolution was adopted approving SEQR for subject property. All Aye.

The Gleason Works (Lease/leaseback – Sales & Mortgage Tax Only)

The company was represented by Gary Figler. Gleason Corporation is a global leader in the gearing technology. Products and services include machinery for the production, finishing and testing of gears as well as a worldwide support system which provides tooling replacement parts, field service application development services, gear design and inspection software, training programs, engineering support and machine rebuild and upgrade services. Customers include leading companies in the automotive, aerospace and aircraft, truck, recreational vehicle and power equipment industries. Gleason is proposing to renovate, modify and upgrade its existing 750,000 square foot building in the City of Rochester, and purchase new manufacturing equipment. This project will enable Gleason to compete effectively in a global market, while retaining 625 local jobs. The company considered several strategic options including relocating some or all of its Rochester operations to other facilities in other countries. The \$18.7 million investment planned for its Rochester plant represents one of the largest single investments Gleason has ever made at any of its facilities. The project will be assisted by a \$2.5 million capital grant from Empire State Development; \$1 million in state funding, a \$1 million grant from RG&E, a \$500,000 loan from the City of Rochester; and more than \$13 million in company investments. After a brief discussion and on motion made by D. Conte and seconded by R. Hurlbut, an inducement resolution was adopted approving subject project up to \$100,000. All aye.

J. Seil stated that the Gleason Works project was a cooperative effort between the City, County and State to keep this company in Monroe County. She introduced and welcomed Karen Altman and David Ballestier, representing the City of Rochester, who also worked with COMIDA on this project. Chair Mazzullo thanked them for their attendance in support of the City projects.

390 Canal Ponds, LLC (Lease/leaseback)

The company was represented by Edward Daniel III, Esq. The applicant is proposing to construct a 119,600 square foot facility to be used as a BJ's Wholesale Club on approximately 11 acres in the Town of Greece. The project qualifies under the original approval for Canal Ponds Business Park which has an allocation of 450,000 square feet for retail space. The total project amount is \$15 million and the project qualifies for a tax abatement under a special PILOT for Canal Ponds. The operation expects to create 60 FTE. Chair Mazzullo confirmed with Mr. Daniel the Local Labor requirements. After a brief discussion and on motion made by H. Stuart and seconded by L. Doyle, an inducement resolution was adopted approving subject project up to \$100,000. All Aye. Also, on motion made by H. Stuart and seconded by L. Doyle, a resolution was adopted approving SEQR for subject property. All Aye.

Ed LaRocca Trucking (EquiPlus)

The company was represented by Ed LaRocca. Ed LaRocca Trucking has been in business since 1954. The company transports mail under contract for the US Postal Service and has recently been awarded new territory. The company currently employs five full-time employees within Monroe County and will be creating one new full-time position within one year. Ed LaRocca Trucking will be purchasing a 2006 International Truck model 4300 with a Supreme Van Body. The company is requesting EquiPlus on the \$58,545 truck purchase and has been approved for a GreatRate on the purchases through the Monroe County Industrial Development Corporation. After a brief discussion and on motion made by L. Doyle and seconded by R. Hurlbut, an inducement resolution was adopted approving subject project. All Aye.

Tra-Lin Corporation (EquiPlus)

The company was represented by Linda Fedele. Samson Fuel and Trucking (SF&T) is a woman-owned fuel distributor and trucking company which has been in business since 1984. The company will be purchasing a 2007 Kenworth 7300 for \$62,349 and is applying for a sales tax exemption on the purchase. SFT has been approved for a GreatRate on the equipment purchase through the Monroe County Industrial Development Corporation. After a brief discussion and on motion made by R. Hurlbut and seconded by D. Conte, an inducement resolution was adopted approving subject project. All Aye.

On motion made by H. Stuart and seconded by L. Doyle, minutes for the meetings of June 15, 2006 and June 20, 2006 were reviewed and approved. All aye.

Chair Mazzullo noted the Policies and Procedures handout related to Job Maintenance and Job Creation and Waivers. She explained that COMIDA is in the process of conducting a complete audit on all of its PILOT projects, which should be completed by the August meeting. Also discussed were the Quarterly Project report and the Local Labor Statistics handout, which will be posted on the COMIDA website. Chair Mazzullo stated that anyone having any questions regarding the above reports should contact either her or Judy Seil.

J. Seil introduced Ken Pink, representing The Bonadio Group, to present the Agency's 2005 Audit, which had been distributed to the Board for review. K. Pink introduced Kris Ryan, who managed the audit. He stated that the audit went well and no irregularities were noted and the staff is knowledgeable and helpful in the audit process. He mentioned that several adjustments were

recorded and resulted primarily from conversion from cash accounting which serves the Agency well on an interim basis to accrual accounting which is required by GAAP. No material weaknesses in internal control were noted. Mr. Pink stated that the balance sheet remains very strong. Fee income increased as a result of an increase in the number of projects funded through COMIDA. Expenses increased to handle additional volumes and to fund additional economic development efforts. As a result of surplus, COMIDA was able to commit to fund additional community development projects. After a brief discussion and on motion made by H. Stuart and seconded by R. Hurlbut, a resolution was adopted approving the Agency's 2005 Financial Audit. All aye. J. Seil acknowledged E. Liberti for her efficiency in providing the material needed to complete the audit process.

This being the Agency's 2006 Annual Meeting, Acting Executive Director Seil announced the proposed slate of Board Members for year 2006 - 2007 as follows:

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|------------------|---|---------------------|
| Theresa Mazzullo | - | Chairperson |
| Robert Hurlbut | | Vice Chairperson |
| Hank Stuart | - | Secretary |
| Ann Burr | - | Treasurer |
| Lauren Doyle | - | Assistant Secretary |
| Stephen Moore | | Assistant Treasurer |

After a brief discussion and on motion made by H. Stuart and seconded by R. Hurlbut, a resolution was adopted approving the election of 2006-2007 COMIDA Board members as listed above. All aye. On behalf of staff, J. Seil thanked the Board for their time, availability and support to the Agency.

Acting Executive Director Seil, on behalf of M. Townsend, presented the following items for Agency action:

Final/Approval over \$100,000

Alexander Realty

On motion made by H. Stuart and seconded by R. Hurlbut, a final resolution was adopted approving the subject project. All aye. A public hearing was held at the Agency meeting 7/18/06.

D&T Rents, LLC

On motion made by H. Stuart and seconded by R. Hurlbut, a final resolution was adopted approving the subject project. All aye. A public hearing was held in the Town of Henrietta on 7/17/06.

Alleson of Rochester, Inc.

On motion made by H. Stuart and seconded by R. Hurlbut, a final resolution was adopted approving the subject project. All aye. A public hearing was held in the Town of Henrietta on 7/17/06.

Miscellaneous:

Corning Rochester Photonics

On motion made by L. Doyle and seconded by H. Stuart, a resolution was adopted authorizing the execution to assign 115 Canal Landing Blvd. from Corning to North Forest Properties #3, LLC. All aye.

390 Canal Ponds (BJ's Wholesale Club)

On motion made by D. Conte and seconded by L. Doyle, a resolution was adopted authorizing the transfer of approximately 104 acres from GEDPRO to Morgan Acquisitions. All aye.

Public Comments – None

The next meeting of the Agency will be held on Tuesday, August 15, 2006. PLEASE NOTE CHANGE OF TIME - THE MEETING WILL BE AT 10:00 A.M.

There being no further business and on motion made by L. Doyle and seconded by R. Hurlbut, the meeting was adjourned.