



Profile
Kevin Ryan is the new executive director of the Monroe County Bar Association. **Page 8**



Special Report
In Rochester, microlending options for fledgling entrepreneurs are growing. **Page 11**



Fast Start
Eric Thornton has a passion for weather and commodities. **Page 17**

Data from drones

RIT is partnering in the use of unmanned aerial systems for up-close property inspections.



Drones can provide a much more accurate assessment, says Carl Salvaggio, professor in the Chester F. Carlson Center for Imaging Sciences at RIT.

By LORI GABLE

A research project using drones is designed to prevent dangerous falls for roof inspectors, improve the accuracy of damage assessments and reduce fraud brought by faulty insurance claims. The project is a partnership of the Property Drone Consor-

tium, or PDC, and Rochester Institute of Technology to assess the usefulness of various unmanned aerial systems and a variety of sensors for up-close property inspection. Researchers at RIT are perfecting imagery technology

Continued on page 28

Photo by Kimberly MacKinnon

Perinton project to open

\$22M development to have apartments, retail

By ANDREA DECKERT

Whitney Town Center, a \$22 million mixed-use development in Perinton off Whitney Road, is slated to open this fall.

Developers and town leaders are hopeful the project near Fairport will lead to additional growth in the area.

The 18-acre site will feature a 28,500-square-foot building for retail and professional office use.

Behind that will be the Legends at Whitney Center, an independent senior living apartment complex comprising three buildings totaling 151 apartments for those 55 and older.

The retail segment is slated to open in

Continued on page 10



Jury grants award to an ex-associate

By WILL ASTOR

A state court jury has awarded a six-figure sum to a former associate in Nixon Peabody LLP's Rochester office who accused the firm of giving him short shrift on a promised bonus.

After leaving Nixon Peabody in 2008 to accept a post with Eastman Kodak Co., Noah Doolittle sued the firm in 2009, claiming it came up \$190,000 short of what was supposed to have been a \$265,000 bonus.

Reaching a verdict June 20 at the conclusion of trial before state Supreme Court Commercial Division Justice Matthew Rosenbaum, a jury found in Doolittle's favor, granting him a \$265,926 award.

Continued on page 27

Food for thought at East

Teaching garden connects firms, culinary students and heart health effort

By KERRY FELTNER

Dixon Schwabl Inc., SWBR Architects & Engineers P.C. and Broccolo Tree and Lawn Care Inc. have teamed up with the American Heart Association of Rochester to support East High School in the creation of a teaching garden.

The initiative is in direct support of the American Heart Association's mission to increase overall heart health.

Volunteers, including employees of the organizations, took part in the groundbreaking of the garden on July 9. The planting day is slated for July 28.

The garden is located in the center of East High School and is some 2,050 square feet.

"There's no other feeling like this



Photo courtesy of Dixon Schwabl Inc. East High culinary students will manage and maintain the garden.

when you have an opportunity to really be a part of it," said Lauren Dixon, CEO of Dixon Schwabl. "(To) have the team part of it, it just brings it to a whole different level of what can happen inter-

Continued on page 27

Reforms would change rules at COMIDA

By ANNE SAUNDERS

As the County of Monroe Industrial Development Agency seeks to move beyond the controversy involving the I-Square development in Irondequoit, new reforms have been proposed to improve the seven-member board's functioning and transparency.

Also on the table is a proposal to increase the number of new jobs required as a condition of getting COMIDA assistance. County Executive Cheryl Dinolfo is proposing that any business receiving benefits of more than \$1 million be required to provide a 20 percent increase in jobs, up from 10 percent now.

That requirement, if in force at the time, could have ruled out a project in

Continued on page 28



Read tomorrow's headlines today.

Sign up at www.rbj.net/dailyreport.asp

ROCHESTER BUSINESS JOURNAL
RBJ



\$2.00 WEEKLY

RIT DRONE

Continued from page 1

used in UAS, commonly known as drones, to more easily and precisely capture images than can be gained through manned photography.

The consortium is a collaboration of insurance carriers, construction industry leaders and supporting enterprises. Charter members include Allstate Corp., American Family Insurance and EagleView Technologies Inc., which merged in 2013 with Pictometry International Corp., a Henrietta-based aerial measurement company.

The idea to partner with RIT, the only university in the consortium, came out of the No. 1 risk the consortium identifies with using traditional manned photography to assess roof damage for the insurance industry following storms.

"There are 800,000 claims around the U.S. every year from hail and storm damage. There's lots of risk of falls from walking on a roof," said Charles Mondello, president of the consortium. "We can minimize that risk by using drones instead of ladders."

Drones also have a level of access to a roof that cannot be achieved by manned aircraft or satellites, allowing them to detect subtle storm damage that could lead to leaks or other problems.

"From a research point of view, there is a much more accurate assessment with drones," said Carl Salvaggio, professor in the Chester F. Carlson Center for Imaging Sciences at RIT. "Manned photography is a tedious process prone to mistakes. We can improve the quality of the assessment and the accuracy of the claim, which will save money for the insurance companies."



Photo by Kimberly McKinzie

RIT professor Carl Salvaggio: "Manned photography is a tedious process prone to mistakes."

Within the past year, the consortium secured FAA regulatory approvals to permit the use of a variety of UAS platforms for aerial data collection, including the inspection of properties for the insurance and construction industries.

"It makes it easier for commercial use of the drones," said John Monaco, manager of market research and planning at Pictometry. "There's less reporting requirements."

While there are clear benefits to using unmanned aircraft to photograph rooftops, some point to the drawbacks, spe-

cifically the infringement on privacy that can happen when photographing homes in close proximity.

"When you are on a rooftop you are going to catch a glimpse of a neighbor's backyard," Salvaggio said, noting a recent complaint a Pittsford resident had with a test project.

"We're trying to research ways to blur imagery of faces before we even download it. We're trying to do things on the aircraft before the imagery is transported. We're working with our cybersecurity team."

Projects, such as the one with the con-

sortium, are part of growing research at RIT with drones.

RIT recently named remote sensing with unmanned aerial vehicles as a signature research initiative at the university. The interdisciplinary program, based in the Chester F. Carlson Center for Imaging Science, will receive \$1 million over the next five years to work on challenges facing this industry from integrating UAVs into the national airspace to making use of imaging data collected with sensors that record visual, spectral, thermal and geometric information with very high spatial resolution.

"The PDC will benefit from a lot of this work indirectly, as many of the problems that we have been enabled to work on with the RIT funding will help solve problems faced in collecting data for PDC research purposes, as well as many other projects," Salvaggio said. "The UAS platforms and sensors that the RIT funding allowed us to acquire, allows us to do the work that we are doing for the PDC. Without it, we would not have been able to enter into the research agreement that we have with them."

Replacing manual roof inspections with enhanced UAVs could lead to related uses for drones, including the inspection of bridges and wind turbines.

"As members of the PDC and part of this research collaboration with RIT, we will be able to better understand what imagery and data can be captured by UAS," Monaco said. "We can then use that understanding to develop products and services that offer significant economic and safety benefits to our thousands of government and commercial customers, as well as allow us to develop new customers."

lgable@rbj.net / 585-546-8303

COMIDA

Continued from page 1

2015 that was slated to add 112 new jobs. Bausch & Lomb Inc. that year was approved for \$3.7 million to support the development of four high-speed contact lens manufacturing lines. But the addition of 112 jobs to an existing workforce of 820 is just under 14 percent job growth and would have failed to meet the proposed 20 percent benchmark, though Bausch & Lomb said this week it has exceeded that 112 job target.

The higher percentage also would have affected the Culver Road Armory project in 2013, with 12 new jobs projected on top of 67 existing jobs, and the Pictometry International Inc. headquarters project in 2014 with 20 additional jobs on top of 198 pre-existing. Neither of those projections would have hit the 20 percent mark, and both of these projects topped \$1 million in benefits, triggering the job creation requirement.

Those are not the typical projects COMIDA approves. Over the past three years, the number of projects receiving benefits over \$1 million varied from eight in 2013 to only two in 2014 and 10 in 2015.

COMIDA's lawyer Michael Townsend said he would like to see some research done into past beneficiaries and the potential impact of raising the job creation requirement to 20 percent before the board moves forward with this idea.

"This is just my personal opinion," he added.

Many of the other projects that have won COMIDA assistance are set up as LLCs and easily could meet any percentage target by adding a single job since they typically start from zero, which

raises a question about the meaningfulness of the job creation measure.

Dinolfo did not return requests for comment on her proposals released on July 13.

Ann Burr, the new COMIDA chairwoman, who was credited by Dinolfo as having worked with her on the recommendations, said increasing the job creation requirement reflects the board's and the county executive's commitment to growing jobs in Monroe County.

Other changes proposed by Dinolfo chiefly would affect COMIDA board members, many of whom are recent additions.

Dinolfo has called for annual training for board members and new training for incoming board members. She also recommended term limits for the members, though she did not indicate a length. Her recommendations call for posting all agreements and payments-in-lieu-of-taxes deals on the COMIDA website as well as amending the agency's bylaws to ensure information on any matter going before the board is distributed at least a week in advance of a meeting, unless it is determined to be urgent by the board.

"The changes will be helpful as we work to provide more transparency and open communication," Burr said.

Monroe County Legislature Minority Leader Cynthia Kaleh, D-Rochester, released a different set of recommendations this week, arguing Dinolfo's proposals did not go far enough to "address the undue political influence her administration exerted on what should be an independent agency focused on economic development."

Kaleh's proposed reforms include barring county employees from getting a job with a company they worked with

on a COMIDA contract for two years after leaving county service. It would bar COMIDA board members from having any business contracts with the county.

Her recommendations also call for adopting a law prohibiting the disclosure of proprietary business information for non-governmental purposes and establishing penalties for the misuse of insider information.

Finally, Kaleh said the executive director of COMIDA should not be a county employee but a COMIDA employee and accountable to the board only. Kaleh said her proposals will be introduced at next month's county legislature meeting.

The recommendations of Kaleh and Dinolfo come not long after former COMIDA chairwoman Theresa Mazzullo and three other board members, Mark Siwec, Clint Campbell and Eugene Caccamise, quit the board abruptly in May. At the time, the board was under

a cloud of suspicion over the handling of information about I-Square. Assistant County Executive Justin Roj lost his job as a result.

COMIDA offers qualified applicants conduit financing for industrial and non-industrial projects through the issuance of tax-exempt industrial revenue bonds, taxable IRBs and tax-exempt bonds. Lease/leaseback transactions, projects financed without the issuance of bonds, also can qualify for assistance.

In general, COMIDA can assist projects for the purchase of land, existing facility and new machinery and equipment, the construction of new facilities or the renovation of existing facilities. COMIDA can assist projects located throughout Monroe County, including the city of Rochester, and COMIDA benefits can be combined with incentives from other sources.

asaunders@rbj.net / 585-546-8303

NIXON PEABODY

Continued from page 27

work for law firms across the country was waning at that point because of the economy," Doolittle told the jury.

Snellings, meanwhile, cited the bleak 2008 economic picture as justification for withholding bonus payouts.

"At that time, as many of us remember, the economy was really struggling, and the firm was taking some actions with regard to its own finances, and, again, felt in its discretion that we could not award any collection bonuses that year, that it just wasn't in the budget," he told the jury.

The jury trial came after Rosenbaum ruled in favor of Woford's summary judgment motions in 2014, dismissing

most of Doolittle's claims.

Had those dismissals stood, his client would have lost the case, Thomas said in an interview this week.

In a ruling handed down in March 2015, however, a 4th Department Appellate panel reversed the dismissals, sending the matter back to the lower court.

"Given the conflicting evidence and testimony concerning the nature of the collection bonus and how it was presented to (Nixon's) employees...summary judgment was inappropriate," the appellate panel wrote.

The 4th Department ruling would make the success of Woford's bid to void the jury verdict highly unlikely, Thomas predicted.

wastor@rbj.net / 585-546-8303