

APPLICATION FOR ASSISTANCE

Each applicant seeking assistance must complete this application and provide required supplemental forms/documentation.

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law, except for information that is considered deniable by the Freedom of Information Law. This form is available at www.monroecountybusiness.org/application.

Please send completed application via email to EconomicDevelopment@monroecounty.gov. A **non-refundable** application fee of \$350.00 is required. Please see page 10 for additional information on costs and fees.

I. APPLICANT

	. Applicant Information		B.	Applicant's Le	icant's Legal Counsel		
	Name:	Skull Diamond and Heart Capital, LLC		Name: Firm:	Rick Harmon		
	Address:	375 Double Wood Lane	-	Address:	Harmon and Davies		
	City/State/Zip:	Bluemont, VA 20135	-	City/State/Zip:	2306 Columbia Avenue		
	Tax ld No.:	85-3038504	-	Telephone:	Lancaster, PA 17603		
	Contact Name:	Robert Poltrino	<u>-</u>	Email:	800-238-2803		
	Title:	Chief Acquisition Officer	<u>-</u>		RHarmon@h-dlaw.com		
	Telephone: E-	585-330-3338	-				
	Mail:	Rob@sdhcap.com	<u>-</u>				
C.	Owners of App	olicant Company (must total 100%). If an L	LC, LP or si	imilar, all membe	ers/partners must be listed		
		Name		%	Corporate Title		
	Chance Wrigh		100	%	Corporate Title Chief Operating Officer		
_	Chance Wrigh		100	%	·		
-	Chance Wrigh		100	%	·		
-	Chance Wrigh		100	%	·		
-	Chance Wrigh		100	%	·		
-	Chance Wrigh		100	%	·		
-	Chance Wrigh		100	%	·		
-	Chance Wrigh		100	%	·		



II. PROJECT

iple Users/Tenants, please attach additional pages.				
d owner related entities? I IVes IVINO				
Are the user and owner related entities? Yes No Company Name: N/A				
N/A				
<u> </u>				
<u>N/A</u>				
/A				
NI/Λ				
be occupied by user/tenant N/A				
ad (Obsala all that analy)				
ed (Check all that apply)				
nption				
rding Tax Exemption				
ax Abatement				
nue Bond Financing				

DESCRIPTION OF THE PROJECT AND BACKGROUND ON USER(S) OF THE FACILITY

Our intent is to renovate 6,734 square feet of space on the second floor of Sibley Square. The space will consist of open office, meeting rooms, private offices, small data center, and other flexible spaces. Approximately 2,000 square feet will be reserved for Skull Diamond and Heart Capitals' Rochester, NY office with the remaining space to be allocated to portfolio companies and service providers. Total project cost is estimated at \$675,000. Since our inception in September of 2020 we have made five investments with a goal of 3-7 investments per year and

Since our inception in September of 2020 we have made five investments with a goal of 3-7 investments per year and recognize Rochester as being an underutilized source of technology and talent. Our investment in Rochester will create direct hire jobs (10-15 FTE), as well as encourage tech talent coming out of our local colleges and universities to conduct business here.

The ecosystem we are creating is one that wholistically supports the early stage small businesses that we are fostering. Equity financing, services offerings via a LOC (marketing, legal, IT, GTM, etc) as well as other vehicles are utilized with the goal of providing each of these companies with access to the tools and experts needed to accelerate their business. We see the value in supporting companies through every stage of their evolution.



NAICS Code: 523900

II. PROJECT (cont'd)

Are other facilities or related companies located within New York State?	H.	Project Timeline 4/1/2021 Proposed Date of Acquisition:
Yes No		Proposed Commencement Date of Construction: 7/1/2021
Location:		Anticipated Completion Date: 10/1/2021
Will the Project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state? Yes No	I.	Contractor(s) Not yet selected - Currently in Design Development Stage
Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state? ☐ Yes ✓ No If Yes to either question, explain how the Agency's Financial	J.	State Environmental Quality Review (SEQR) Act Complianc COMIDA, in granting assistance to the Applicant, is required to comply with the New York State Environmental Quality Review Act (SEQR).
Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Applicant or User's competitive position in its respective industry:	is required to prevent the Project from relocating out te, or is reasonably necessary to preserve the Does the proposed project require d	Does the proposed project require discretionary permit, license or other type of approval by the state or local municipality?
		YES - Include a copy of any SEQR documents related to this Project including Environmental Assessment Form, Final Determination, Local Municipality Negative Declaration, etc.
6. Would the project be undertaken without financial assistance from the Agency?		✓ NO
☐Yes ☑No		
Please explain why financial assistance is necessary.		
Skull Diamond and Heart Capital is a company based of mortar operations. We did not plan to open an office in headcount and investment growth. This unplanned exp. While having an office will enable us to better network a proportionally limits our ability to invest in emerging small (inception date of 9/2020) whose acceleration was unpland see more headcount in our horizon.	2021 bansion and croall busi	out our time table has been accelerated by our and is a 10 year lease commitment to Rochester. ss collaborate, it is a significant expense and nesses. We, ourselves, are a startup company
Without this funding we will have to significantly scale by volatility in price and supply of construction materials has formal office space will impede our growth and operation monies saved by this incentive program allow for single goals.	as plac onal ca	ed unforeseen strain on our resources. A lack of pacity of current and future companies. The
Failure to secure the funds will prevent Skull Diamond a Sibley Square/Winn Development.	and He	art Capital from signing the 10 year lease with



PROPERTY TAX ABATEMENT/PAYMENT IN LIEU OF TAX AGREEMENT (PILOT) **Check One:** JOBSPLUS Requirements: Applicant must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is **LEASEPLUS** Requirements: University and/or medical related facilities in which a 501(c)3 entity leases from a for-profit entity. Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is **ENHANCED JOBSPLUS** Requirements: A minimum \$15 million investment AND A minimum of 100 new jobs **GREEN JOBSPLUS** Requirements: • LEED® Certification - Project must be rated as Certified, Gold, Silver or Platinum by the United States Green • Building Council's Leadership in Energy and Environmental Design (LEED®) Green Building Rating System. • Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is SHELTER RENT For student housing or affordable housing projects. **Local Tax Jurisdiction Sponsored PILOT**

NO PROPERTY TAX ABATEMENT IS SOUGHT FOR THIS PROJECT



III.

IV. APPLICANT PROJECT COSTS

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipment of the project by the APPLICANT.

Building Construction or Renovation

			200 000
a.	Materials	a.	\$ 300,000
b.	Labor	b.	\$ 200,000
Sit	e Work		
c.	Materials	C.	\$_
d.	Labor	d.	· -
e.	Non-Manufacturing Equipment	e.	\$ <u>45,000</u>
f.	Manufacturing Equipment	f.	\$ <u>_</u>
g.	Furniture and Fixtures	g.	\$ <u>70,000</u>
h.	Land and/or Building Purchase	h.	\$ 0
i.	Soft Costs (Legal, Architect, Engineering) i.	\$ 60,000
C	Other (specify) j.	j.	\$_
	k.	k.	\$_
	I.	l.	\$ <u>_</u>
	m.	m.	\$ <u>_</u>
To	tal Project Costs		\$ 675,000

В. Sources of Funds for Project Costs:

(must equal Total Sources)

a.	Tax-Exempt Industrial Revenue B	sond a.	\$ -
b.	Taxable Industrial Revenue Bond	b.	\$ _
c.	Bank Financing	d.	\$ _
d.	Public Sources	e.	\$ _
	Identify each state and federal gra	ant/credit	
			\$ _
			\$ _
			\$ _
		-	\$ _
e.	Equity		\$ \$675,000
	OTAL SOURCES must equal Total Project Costs)		\$ \$675,000

Has the applicant made any arrangements for the financing of this project

	Yes No
lf	yes, please specify bank, underwriter, etc.
-	
-	

V. COMPLETE FOR EACH USER/TENANT THAT IS SEEKING SALES TAX **EXEMPTIONS USER(S)/TENANT(S) PROJECT COSTS**

Use additional sheets as necessary

Company Name

Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement, and/or equipping of the project by the user(s)/tenant(s) fro which a sales tax exemption is requested.

Estimated Costs Eligible for Sales Tax Exemption Benefit

a.	Materials	a. \$ <u>.</u>
b.	Labor	b. \$_
c.	Non-Manufacturing Equipment	c. \$_
d.	Manufacturing Equipment	d. \$ _
d.	Furniture and Fixtures	d. \$_
	Other (specify): e.	e. \$_
	f.	f. \$ _
	g.	g. \$_
	h.	h. \$ _
To	al Project Costs	\$ <u>\$ 0</u>



VI. Value of Incentives

Project name:

Skull Diamond and Heart Capital, LLC

Α.	IDA	PIL	TO.	Be	nefits
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Total Tax Rate

Current Land Assessment Taxes on Land

Dollar Value of New Construction & Renovation Costs

Estimated New Assessed Value of Project Subject to IDA

0

0

County Tax rate/\$1,000 Local Tax Rate* Tax Rate/\$1,000 School Tax Rate /\$1,000

0.00

PILOT Year	% Abatement	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT Amount	Full Tax Payment w/o PILO	Net T Exemption	n
1	1 90%	,)	0	0	0	0	0	0
2	2 80%	,)	0	0	0	0	0	0
3	3 70%	,)	0	0	0	0	0	0
4	4 60%	,)	0	0	0	0	0	0
5	5 50%	,)	0	0	0	0	0	0
ϵ	6 40%	,)	0	0	0	0	0	0
7	7 30%	,)	0	0	0	0	0	0
8	3 20%	,)	0	0	0	0	0	0
g	9 10%	,)	0	0	0	0	0	0
10	0%	,)	0	0	0	0	0	0
	Total		0	0	0	0	0	0

^{*} Local Tax Rate for Town/City/Village

В.	Sales	Tax	Exemp	tion	Benet	it:
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Estimated value of Sales Tax exemption: 33,200
Estimated duration of Sales Tax exemption: 12/31/2021

C. Mortgage Recording Tax Exemption Benefit:

Estimated Value of Mortgage Recording Tax exemption: \$0

D. Industrial Revenue Bond Benefit

IRB inducement amount, if required: \$0

E. Percentage of Project Costs financed from Public Sector sources:

Total Value of Incentives: \$33,200.00 4.92% Sources of Funds (Section IV.B.) \$675,000.00

^{**} All estimates are based on current tax rates.

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: Skull Diamond and Heart Capital, LLC

Applicant:
or User/Tenant:

Applicant/Tenant creating jobs must submit most recent NYS-45 or equivalent.

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	2	2	10	10
Part Time (PTE)	2	2	2	2
Total	3.00	3.00	11.00	11.00

^{**} For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Labor Marker Area, in the fourth column. The Labor Marker Area includes: Monroe County, Orleans County, Genesee County, Wyoming County, Livingston County, Ontario County, Wayne County, Yates County, and Seneca County chosen at the Agency's discretion.

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VIII. LOCAL LABOR

To be completed by all Applicants and Users/Tenants of Projects which include the construction of new, expanded or renovated facilities:
Company Name Skull Diamond and Heart Capital, LLC
Applicant: 🗸 and/or User/Tenant: 🗌
All project employees of the general contractor, subcontractor, or sub to a subcontractor (contractors) working on the project must reside within the following counties in the State of New York: Monroe, Genesee, Livingston, Ontario, Orleans, Seneca, Steuben, Wayne, Wyoming or Yates. The All-Local Labor criterion will be verified based on employment, payroll and related records.
COMIDA understands that at certain times local labor may not be available within the local area. Under this condition, applicants are required to complete a waiver request of the All-Local Labor requirement 45 days in advance of commencing work. Contractors do not have to be local companies as defined herein, but must employ local people to qualify under the All-Local Labor criterion.
The foregoing terms have been read, reviewed and understood by the Applicant or User/Tenant and all appropriate personnel. Furthermore, the undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialman. Furthermore, the undersigned agrees to post and maintain a sign, provided by COMIDA, in a prominent, easily accessible location, identifying the project as a recipient of COMIDA assistance and the local labor requirements associated with this assistance.
Furthermore, the undersigned realizes that failure to abide by the terms herein could result in COMIDA revoking all or any portion of benefits it deems reasonable in its sole discretion for any violation hereof. Skull Diamond and Heart Capital, LLC

(APPLICANT COMPANY) (TENANT COMPANY) Robert Digitally signed by Robert Poltrino Date: 2021.03.29 12:59-51-04/00' Chief Acquisition Officer 3/29/21

Signature

Date



, Title

Signature

Date

, Title

IX. FEES

Transaction Type Fees

Lease/Leaseback including any/all of the following:	Application Fee: Non-refundable \$350.00
PILOT Agreement	IDA Fee: 0.75% of the total project cost
2. Sales and Tax Exemption	Legal Fee: 0.33% of the IDA fee. Minimum fee of \$4,000.
Mortgage Tax Exemption	
Sales Tax Exemption* and/or	Application Fee: Non-refundable \$350.00
Mortgage Recording Tax Exemption	IDA Fee: 0.50% of the total project cost
	Legal Fee: 0.33% of the IDA fee. Minimum fee of \$750
Bond: Taxable or Tax-Exempt with Lease/Leaseback	Application fee: Non-refundable \$350
Including any/all of the following:	IDA Fee: 1.25% of the total project cost
PILOT Agreement	Legal Fee: 0.33% of IDA fee
2. Sales Tax Exemption	Designated Bond Counsel fee is based on the complexity and amount
Mortgage Tax Exemption	of the transaction
Bond: Taxable or Tax-Exempt	Application fee: Non-refundable \$350
	IDA Fee: 1.00% of the total project cost
	Legal fee: 0.33% of the IDA fee
	Designated Bond Counsel fee is based on the complexity and amount of the transaction.

If the sales tax benefits are required prior to closing, a non-refundable twenty-five percent (25%) of the IDA fee and Legal fees are payable at that time. This amount will be applied towards the IDA fee and Legal fee.

Skull Diamond and Heart Capital, LLC

	(APPLICANT COMPANY)			(TENANT COMPANY)		
Robert Poltrino	Digitally signed by Robert Poltrino Date: 2021.03.29 13:00:16 -04'00'	Chief Acquisition Officer	3/29/21			
Signature		, Title	Date	Signature	, Title	Date



X. <u>CERTIFICATION</u>

The undersigned company officer and/or user/tenant officer each hereby certifies, on behalf of the company and/or user/tenant, respectively (each singularly and together, the "Applicant"), as follows:

- A. The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentation made in this Application constitutes an act of fraud, resulting in revocation of COMIDA benefits.
- B. The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which have ownership of the Applicant are current and will remain current on all real property, federal, state, sales, income and withholding taxes throughout the term of any agreements made in connection with this Application.
- Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

 § 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- D. <u>Compliance with Applicable Laws:</u> The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- E. <u>False and Misleading Information:</u> The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- F. Recapture: Should the Applicant not expend as projected or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- G. Pay Equity: The Applicant and/or user/tenant officer certifies on behalf of the company and/or user/tenant (the Applicant) has not been the subject of an adverse finding under the equal pay laws within the previous five years, has disclosed any pending equal pay claims against the company at time of application, and shall disclose to COMIDA any pending claims or adverse findings under the equal pay laws during the term of COMIDA financial assistance agreement.
- H. Applicant hereby releases the COMIDA ("Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, this Application, regardless of whether or not this Application or the Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, renovation and/or equipping of the Project described herein; and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.

APPLICANT COMPANY			TENANT COMPANY		
Skull Diamond an	d Heart Capital,	LLC			
Robert Digitally signed by Robert Poltrino Date: 2021.03.29 13:00:36 -04'00'	Chief Acquisition Officer	3/29/21			
Signature	, Title	Date	Signature	, Title	Date



LC

Executive Summary

INVESTOR TOTAL INVESTED LOCATION TIMELINE

Skull Diamond and \$675.0 Thousand 250 East Main Street, Rochester, NY 14604

F1 FIGURE 1

Discounted* Net Benefits for Skull Diamond and Heart Capital, LLC by Year



Proposed Investment

Skull Diamond and Heart Capital, LLC proposes to invest \$675.0 thousand at 250 East Main Street, Rochester, NY 14604 over 1 years. COMIDA staff summarize the proposed with the following: Renovate office space in Sibley Square



Proposed Investments

Description	Amount
CONSTRUCTION SPENDING	
6734 sq ft	\$500,000
OTHER SPENDING	
non-manufacturing equip	\$45,000
FF&E	\$70,000
Soft Costs	\$60,000
Total Investments	\$675,000
Discounted Total (2%)	\$675,000



Location of Investment



May not sum to total due to rounding.

Cost-Benefit Analysis

A cost-benefit analysis of this proposed investment was conducted using InformAnalytics, an economic impact model developed by CGR. The report estimates the impact that a potential project will have on the local economy based on information provided by COMIDA. The report calculates the costs and benefits for specified local taxing districts over the first 1 years, with future returns discounted at a 2% rate.



TABLE 2

Estimated Costs or Incentives

COMIDA is considering the following incentive package for Skull Diamond and Heart Capital, LLC.

Description	Nominal Value	Discounted Value*
Sales Tax Exemption	\$38,000	\$38,000
Total Costs	\$38,000	\$38,000

May not sum to total due to rounding.

^{*} Discounted at 2%



State & Regional Impact (Life of Project)

The following table estimates the total benefits from the project over its lifetime.

Description	Direct	Spillover	Total
REGIONAL BENEFITS	\$966,000	\$711,000	\$1,678,000
To Private Individuals	\$954,000	\$703,000	\$1,657,000
Temporary Payroll	\$184,000	\$58,000	\$243,000
Ongoing Payroll	\$770,000	\$644,000	\$1,414,000
To the Public	\$12,000	\$9,000	\$21,000
Temporary Sales Tax Revenue	\$2,000	\$726	\$3,000
Ongoing Sales Tax Revenue	\$10,000	\$8,000	\$18,000
STATE BENEFITS	\$59,000	\$43,000	\$101,000
To the Public	\$59,000	\$43,000	\$101,000
Temporary Income Tax Revenue	\$8,000	\$3,000	\$11,000
Ongoing Income Tax Revenue	\$38,000	\$31,000	\$69,000
Temporary Sales Tax Revenue	\$2,000	\$739	\$3,000
Ongoing Sales Tax Revenue	\$10,000	\$8,000	\$18,000
Total Benefits to State & Region	\$1,025,000	\$754,000	\$1,779,000
Discounted Total Benefits (2%)	\$1,025,000	\$754,000	\$1,779,000

May not sum to total due to rounding.



Benefit to Cost Ratio

The following benefit to cost ratios were calculated using the discounted totals.

Description	Benefit*	Cost*	Ratio
Region	\$1,678,000	\$19,000	90:1
State	\$101,000	\$19,000	5:1
Grand Total	\$1,779,000	\$38,000	47:1

May not sum to total due to rounding.

CGR has exercised reasonable professional care and diligence in the production and design of the InformAnalytics™ tool. However, the data used is provided by users. InformAnalytics does not independently verify, validate or audit the data supplied by users. CGR makes no representations or warranties with respect to the accuracy of the data supplied by users.

^{*} Discounted at 2%